



AGENDA
CITY COMMISSION MEETING
COMMISSION CHAMBERS, CITY HALL
MONDAY, SEPTEMBER 28, 2015 5:30 PM

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS:

A. Proclaim Lone Oak Cemetery Heritage Day

3. PRESENTATIONS:

A. Request for park sign for Veterans Memorial Park - Mr. Don Van Beck

B. Homeless Needs Assessment and Action Plan Report Presentation - Dr. Robert G. Marbut

4. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

A. CITY COMMISSION MEETING MINUTES:

1. Special meeting held September 17, 2015

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg authorizing the Mayor and City Clerk to execute an amendment no. 3 extending an existing lease with DOPA Enterprises d/b/a Holiday Marine for commercial space at the Venetian Gardens Marina; and providing an effective date.

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an amendment one to an existing agreement with BESH, Inc. for engineering services related to the Venetian Gardens Splash Pad project; and providing an effective date.

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg reappointing Frazier J. Marshall and Ted Bowersox as regular members, and Stewart Kaplan as an alternate member, to the Leesburg Planning Commission; and providing an effective date.
2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Fire Department to apply for, and if awarded accept a Career Source Central Florida grant for ARFF initial basic and annual training; and providing an effective date.
3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Fire Department to apply for, and, if awarded accept a Career Source Central Florida grant for Officer Development training; and providing an effective date.
4. Resolution of the City Commission of the City of Leesburg, Florida accepting a Utility Easement from Carmen Properties, LLC for land located at 2510 US Hwy 27/441; and providing an effective date.
5. Resolution of the City Commission of the City of Leesburg, Florida approving an Apprenticeship Program for Substation Technicians (Apprentice Substation Technician); and providing an effective date.
6. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an access agreement authorizing an FDEP contractor to enter city property for the purpose of installing, maintaining and removing monitoring and sampling wells and providing an effective date.
7. Resolution of the City Commission of the City of Leesburg, Florida approving a special transfer from the Gas Utility to the Debt Service Fund in the amount of \$978,450 for debt service associated with the Kristen Court Property and to the Capital Projects Fund in the amount of \$363,778 for various Capital Projects, for a total of \$1,342,228; and providing an effective date.
8. Resolution of the City Commission of the City of Leesburg, Florida approving a special transfer from the Solid Waste Fund to the Capital Projects Fund in the amount of \$363,777 for various Capital Projects; and providing an effective date.
9. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Re-Appointment of Alfred Haliday, Jr to the Board of Trustees, for the General Employee's Pension Plan for a three year term expiring August 31, 2018; and providing an effective date.
10. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Civic Organization Funding Agreement with

Leesburg Cemeteries, Inc. during Fiscal Year 2015-16; and providing an effective date.

5. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW) AVAILABLE

- A. Resolution of the City Commission of the City of Leesburg, Florida Setting New Rates for Lighting Services
- B. Second reading of an Ordinance amending the City of Leesburg Municipal Police Officers' Pension Trust Fund by amending Chapter 17.
- C. Second reading of an Ordinance annexing approximately 9.25 acres generally located on the north side of CR 470, west of Debbie Road.
- D. Second reading of an Ordinance amending the adopted Comprehensive Plan on approximately 9.25 acres, for property generally located on the north side of CR 470, west of Debbie Road, by changing the future land use designation from Lake County Urban Low Density to City Industrial and Technology Commerce Park.
- E. Second reading of an Ordinance rezoning approximately 9.25 acres generally located on the north side of CR 470, and west of Debbie Road, from Lake County A to City SPUD.
- F. Second reading of an Ordinance extending the phasing requirements of Ordinance 12-19, Section 2.H.2 for forty-eight (48) months for the Renaissance Trails PUD.
- G. Second reading of an Ordinance extending the existing Impact Fee Waiver for redevelopment projects for a one year period ending September 30, 2016.
- H. Public Hearing on the proposed millage and proposed budget for Fiscal Year 2015-16
 - 1. Announce the name of the taxing authority, the rolled back rate, and the millage rate to be levied
 - 2. Discuss the proposed aggregate millage rate
 - 3. Request comments from the public regarding the millage rate and budget
 - 4. Resolution finally adopting the millage rate of 4.2678 per \$1,000 taxable value for Fiscal Year 2015-16
 - 5. Request comments from the public regarding the Fiscal Year 2015-16 budget
 - 6. Resolution finally adopting the Fiscal Year 2015-16 budget
 - 7. Announce the adopted millage rate

6. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

7. CITY ATTORNEY ITEMS:

8. CITY MANAGER ITEMS:

9. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

10. ROLL CALL:

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.

DRAFT *****

Homeless Needs Assessment and Action Plan

for

Leesburg Florida

~ ~ ~

Presentation of Findings and Strategic Action Plan Recommendations

to

the City of Leesburg Florida

by

**Marbut Consulting:
Robert G. Marbut Jr., Ph.D.**

~ ~ ~

**Written Report - August 30, 2015
Presentation - September 28, 2015**

Prepared by Robert G. Marbut Jr., Ph.D.
www.marbutconsulting.com

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Executive Summary

City of Leesburg tasked Marbut Consulting with conducting a Homeless Needs Assessment and then developing an Action Plan to evaluate and improve the efficiency and organization of homeless service providers.

In order to develop practical recommendations, Marbut Consulting:

- studied and inventoried homeless services throughout City of Leesburg,
- examined Point-in-Time-Count (PITC) reports,
- analyzed statistics and reports from local agencies,
- conducted a Survey of individuals experiencing “street-level” homelessness,
- interviewed individuals experiencing homelessness,
- conducted meetings with stakeholders,
- made street-level observations,
- posed as a homeless person within City of Leesburg in order to understand what its like to be homeless in Leesburg and to better understand the movement and circulation of the homeless community.

Marbut Consulting evaluated the current homeless operations within Leesburg using national best practices and the *Seven Guiding Principles of Homeless Transformation* as the key measuring tools. Marbut Consulting then conducted a needs assessment and gaps analysis between existing inventory and identified needs, including the types of services (qualitative) and capacity of services (quantitative) needed within City of Leesburg. Dr. Robert Marbut started formally on June 3, 2015. It should be noted that Dr. Marbut made two prior visits to the City of Leesburg on January 15-16, 2015 and May 12, 2015 which were hosted by Joe Shipes of the Leesburg Partnership and by Al Minner the City Manager respectively. Marbut Consulting finished the written report on August 30, 2015 and Dr. Marbut made a formal presentation to the City of Leesburg on September 28, 2015.

The following are Marbut Consulting’s big-picture Observations and Findings:

- For 2015, there were 265 persons sheltered and unsheltered in Lake County, of these 265 persons, 178 were unsheltered and 87 were sheltered. Of the 178 unsheltered persons, 133 were unsheltered single adults. It is important to note that nationwide PITCs almost always undercount the homeless population especially individuals who are unsheltered.

Note: For the purpose of this report, “street-level homelessness” is a sub-set of the overall homeless population and consists of individuals sleeping and living on the street, under bridges, near golf courses, beaches and wooded encampments. In most communities individuals experiencing “street-level” homelessness are generally the same individuals defined as “unsheltered” by the Point-in-Time Count.

- 61.4% of the unsheltered (eg street-level homelessness) lived in Lake County for over 1 year before becoming homeless.

The fact that 61.4% of the unsheltered homeless population has lived in Lake County for over 1 year before becoming homeless means that a very high proportion of the local chronic population is “home-grown” (eg raised and/or lived in Lake County for a significant amount of time).

- 37.4% have been homeless for longer than 1 year, and 56.4% have been homeless 2 or more times within the last 3 years. This indicates high levels of “chronic” homelessness.

Note: HUD defines “chronic” homelessness as an individual being homeless for over one year straight and/or has 4 or more episodes of homelessness in the last 3 years and/or a person with a disabling condition living on the street. This researcher defines “super-chronic” as person who has been experiencing homelessness for over 5 years.

- Of the unsheltered adults, 37.7% are military veterans. Compared to other Florida communities and most USA communities, Lake County has a much higher percentage of unsheltered individuals who are military veterans. This is surprising since there are no major military nor VA operations within Lake County.
- A data analysis of the individuals experiencing homelessness who have had the most recent highest number of incidents/contacts with the Leesburg Police Department found the following:
 - + The median age is 51.4 years old and the average age is 46.7 years old. These ages are older compared to other Florida and USA communities. This correlates with, and indicates a relatively higher level of chronic homeless population.
 - + The median length of time since first contact with the Leesburg Police Department to the time of this report is 6.6 years with an average of 7.6 years. The median/average time-length since first contact with law enforcement is surprisingly very high and indicates three important issues:
 - 1- There is a high proportion of the local homeless population that is “homegrown.”
 - 2- The local population is significantly very “chronic.”
 - 3- Leesburg lacks crisis intervention services.

- The Leesburg Police Department has had incidents/contacts with 754 distinct individuals (eg unduplicated) who have experienced homelessness over the last 5.5 years, one new individual every 2.6 days.
- Individuals who are experiencing homelessness have accounted for 19.3% of all incidents/contacts by the Leesburg Police Department over the last 5.5 years.
- It is important to realize that very little of the “re-encountered” police activity is a result of individuals “passing-through,” instead most of the police activity is with individuals who have been living in the Leesburg area of a long time.
- The homeless population within Lake County has 3 “flow-characteristics”:
 - 1- The homeless population within Clermont circulates between Clermont and Orlando, and has very little contact with other Lake County Communities.
 - 2- The homeless population within Leesburg circulates between Leesburg, Tavares, Eustis and Mt. Dora.
 - 3- Based on several sources, there are about 2,000 individuals experiencing homelessness camping in the woods within Lake, Marion and Sumter Counties, it is reported that a very high percentage of these individuals are veterans, most of whom are experiencing post traumatic stress disorders. Since this was beyond the scope of this engagement, this researcher did not attempt to confirm this observation of others.
- Most individuals experiencing homelessness within Leesburg use the “trail system” as a primary transportation path, which reduces conspicuity. The “trail system” has become a “hidden pathway” for the movement of individuals experiencing homelessness.
- Many of the “hangout” areas and encampments within Leesburg are located around the intersecting nodes of the “trails” and near establishments that sell liquor/alcohol.
- There is no “come-as-you-are” program and/or facility in Leesburg that addresses the 24/7 emergency needs of individuals experiencing “street-level” homelessness.
- It is very important to realize that the lack of a 24/7 emergency program means Leesburg is not “Pottinger Compliant,” which in turn means the Leesburg Police Department is very restricted in how it interacts with individuals who are experiencing homelessness. It is critical to understand that due to a series of court rulings (often referred to as “Pottinger vs. City of Miami” or simply “Pottinger”), Law Enforcement Agencies and Law Enforcement Officers will not be able to enforce many ordinances until the community has a fully operational emergency center on a 24/7/168/365 basis.

- There is a widely held myth that Leesburg has and provides “too many services.” The fact is, relative to other Florida cities, this is simply not true. In fact it is the lack of comprehensive services that has allowed Leesburg homeless community to become so “chronic.” Without treatment and engagement, the problems are simply getting worse.

It should be remembered that it is the weather, not programming services, that initially draws homeless individuals to Florida. Communities with, or on the path way to, beaches, palm trees and golf courses will always attract homeless individuals because of the nice and moderate climate. Then if the community is enabling, homeless individuals will continue to stay on the streets and in encampments.

- There is not a connected “system” of care. Service providers are mostly working in their own isolated silos.
- The issues of homelessness within Leesburg are high for such a small city, and based on police and citizen interviews, the problem has gotten worse over the last two years. Anecdotal information also indicates that many of the encounters with individuals experiencing homelessness has become more aggressive in nature.

The following are Marbut Consulting’s major action Recommendations:

1 - Open a Come-As-You-Are Services Center.

Open a basic 24/7/168/365 Come-As-You-Are (CAYA) Services Center for single homeless men and women to dramatically improve the effectiveness and efficiency of service delivery by co-locating and integrating adult homeless services at one location. If Leesburg goes it alone, this site needs to be within Leesburg proper. If Leesburg joint ventures with other cities within Lake County, this site should be centrally located to the partner cities in order to maximize use.

2 - Transform HMIS from a “Score Keeper” to a “Proactive Case Management Tool”

The Homeless Management Information System (HMIS) needs to be transformed from a "Score Keeping Model" to a "Proactive Case Management Tool." To accomplish this, the software program may need a couple component upgrades. Additionally, to reduce impediments to universal use, a system-wide-all-agency information release form should be utilized by all agencies. Furthermore, in order to promote universal agency participation, funding to service agencies by foundations, government agencies and the Continuum of Care should become contingent on being proactive participants in HMIS.

3 - The Culture of How the Community Addresses Homelessness Needs to Change

The entire Leesburg Community needs to change how it addresses the issue of homelessness. This includes service agencies, faith-based organizations, volunteers, staffs, donors, funders, government agencies, programs, residents, tourists and the homeless community. The mission should no longer be to “serve” the homeless community, instead the mission should be to dramatically and consequentially increase “street graduation” rates. Specifically, the Leesburg Community needs to:

- a - Move from a “*Culture of Enablement*” to a “*Culture of Engagement*,”
- b - Move from “*Agency-centric*” to “*System-centric*” funding and processes,
- c - Move from “*Out-put Measurements*” to “*Out-come Measurements*.”

Study Scope

Phase 1 - Inventory of Services:

The Consultant will ascertain information about the types and quantities of service being provided in Leesburg. The Consultant will then perform an inventory of homeless services within the City of Leesburg proper and selected service sites within Lake County.

Phase 2 - Analysis of Recent PITC Data, with a Field Survey and Field Observations:

The Consultant will conduct an analysis of the recent Point-in-Time-Count (PITC) compared to earlier PITCs. The Consultant will also conduct a series of field observations analyzing flow and movement patterns. These field observations will include visiting encampment sites as well as other gathering sites. The Consultant will then compare the PITC data with data from the Leesburg Police Department and the field observations.

Phase 3 - Needs Assessment Data Analysis:

The Consultant will conduct needs assessment of the types of services (qualitative) and capacity of services (quantitative) needed in the City of Leesburg. This will be based on street level observations and data from Point-in-Time-Counts (PITCs), Homeless Management Information System reports (HMIS), Leesburg Police Department data and agency reports. The Consultant will conduct a gap analysis of services between existing inventory and identified needs.

Phase 4 - Conceptual Analysis of Potential “Pottinger Qualified” Sites:

The Consultant will provide a conceptual level analysis of potential “Pottinger” qualified homeless service center sites in and near Leesburg.

Notes About Scope of Work:

- The Consultant will produce a written report (10-20 pages). Additionally, the Consultant will present this report at a public meeting/forum chosen by the City of Leesburg on a mutually agreed date.
- Many improvements will “organically” materialize during the gap analysis and national best practice reviews. During this time frame, Marbut Consulting will suggest improvement opportunities that naturally arise throughout this “journey.”

- The analysis of potential homeless service sites will be at a conceptual level (eg not at a design document level regarding environmental, design and construction details).
- The scope of work was limited to “study and development of recommendations” only.
- If mutually agreed upon by the parties, Marbut Consulting is available for a contract extension to help implement the finalized approved plan.

Observations and Findings

Basic Data:

- **Lake County Point-in-Time Count (PITC) Data.** A data analysis of the recent Federally mandated annual Point-in-Time Count found the following:
 - + For 2015, there were 265 persons sheltered and unsheltered in Lake County, of these 265 persons, 178 were unsheltered and 87 were sheltered. Of the 178 unsheltered persons, 133 were unsheltered single adults. It is important to note that nationwide PITCs almost always undercount the homeless population especially individuals who are unsheltered.

Note: For the purpose of this report, “street-level homelessness” is a sub-set of the overall homeless population and consists of individuals sleeping and living on the street, under bridges, near golf courses, beaches and wooded encampments. In most communities individuals experiencing “street-level” homelessness are generally the same individuals defined as “unsheltered” by the PITC.
 - + 61.4% of the unsheltered (eg street-level homelessness) lived in Lake County for over 1 year before becoming homeless.
 - + 37.4% have been homeless for longer than 1 year.
 - + 86.0% are of males and 14.0% are females.
 - + 56.4% have been homeless 2 or more times within the last 3 years.
 - + Of the unsheltered adults, 69.6% are White/Caucasian and 30.4% are Black/African-American.
 - + Of the unsheltered adults, 37.7% are military veterans.
- **Leesburg Police Department Data.** A data analysis of the 32 individuals experiencing homelessness who have had the most recent highest number of incidents/contacts with the Leesburg Police Department found the following (this group of 32 is a sub-set group of the 133 unsheltered persons in the PITC data above):
 - + The median age is 51.4 years old and the average age is 46.7 years old. When you take out 4 juveniles who recently became adults the median age is 52.9 years old and the average age is 50.2 years old.

- + 90.6% are White/Caucasian and 9.4% are Black/African-American.
- + 87.5% are males and 12.5% are females.
- + The median length of time since first contact with the Leesburg Police Department to the time of this report is 6.6 years with an average of 7.6 years. When you take out 4 juveniles who recently became adults the median length of time since first contact with the Leesburg Police Department to the time of this report is 8.4 years with an average of 7.9 years.
- The Leesburg Police Department has had incidents/contacts with 754 distinct individuals (eg unduplicated) who have experienced homelessness over the last 5.5 years, one new individual every 2.6 days.
- Individuals who are experiencing homelessness have accounted for 19.3% of all incidents/contacts by the Leesburg Police Department over the last 5.5 years.

Macro Data Observations:

- The median/average time-length since first contact with law enforcement is surprisingly very high which indicates three important issues:
 - 1- There is a high proportion of the local homeless population that is “homegrown.”
 - 2- The local population is significantly very “chronic.”
 - 3- Leesburg lacks crisis intervention services.

Note: HUD defines “chronic” homelessness as an individual being homeless for over one year straight and/or has 4 or more episodes of homelessness in the last 3 years and/or a person with a disabling condition living on the street. This researcher defines “super-chronic” as person who has been experiencing homelessness for over 5 years.

- Based on the the fact that 61.4% of the unsheltered homeless population has lived in Lake County for over 1 year before becoming homeless means that a high proportion of the local chronic population is “home-grown” (eg raised and/or lived in Lake County for a significant amount of time).
- Compared to other Florida and USA communities, the average age is older. This correlates with, and indicates, a relatively higher level of chronic homeless population.

- Based on other Florida communities, the percent of White/Caucasian is higher than expected.
- Compared to other Florida communities and most USA communities, Lake County has a high percentage of unsheltered individuals who are military veterans. This is surprising since there are no major military nor VA operations within Lake County.
- Compared to other Florida communities, the average percent of males is slightly higher. Normally, higher percentages of males directly correlates with higher violent crime rates within the homeless community.
- It is important to realize that very little of the police activity is a result of individuals “passing-through,” instead most of the police activity is with individuals who have been living in the Leesburg area of a long time.

Flow and Patterns of Individuals Experiencing Homelessness:

- Based on PITS data, Leesburg Police Department data, interviews with individuals experiencing homelessness, interviews with service providers and street level observations, the homeless population within Lake County has 3 “flow-characteristics”:
 - 1- The homeless population within Clermont circulates between Clermont and Orlando, and has very little contact with other Lake County Communities.
 - 2- The homeless population within Leesburg circulates between Leesburg, Tavares, Eustis and Mt. Dora.
 - 3- Based on several sources, there are about 2,000 individuals experiencing homelessness camping in the woods within Lake, Marion and Sumter Counties, a very high percentage of these individuals are veterans, most of whom are experiencing post traumatic stress disorders. Since this was beyond the scope of this engagement, this researcher did not attempt to confirm this observation of others.
- The mobility rate between the Cities of Leesburg and Eustis is very high, but the mobility rate between Leesburg/Eustis and the City of Clermont is very low. This is occurring because the transportation system between Clermont and Leesburg/Eustis is poor and because many individuals have tight ties to their respective communities.
- Most individuals experiencing homelessness within Leesburg use the “trail system” as a primary transportation path, which reduces conspicuity. The “trail system” has become a “hidden pathway” for the movement of individuals experiencing homelessness.

- Many of the “hangout” areas and encampments within Leesburg are located around the intersecting nodes of the “trails” and establishments that sell liquor/alcohol.

Homeless Services:

- There is no “come-as-you-are” program and/or facility in Leesburg that addresses the 24/7 emergency needs of individuals experiencing “street-level” homelessness.

Note: “Emergency level” services address the short term needs of individuals with the goal of being a portal to intermediate and long-term recovery programs. Emergency programs provide the basic level of services with very little “paperwork” (eg there are very few barriers of entry, normally entry is blocked only because of violent behavior or the need for critical medical care).

- There is no 24/7 “in-take” portal program/facility/system to triage individuals who are experiencing homelessness who have recently arrived in Leesburg. Likewise there is not “in-take” portal for local individuals who have recently become homeless.
- It is very important to realize that the lack of a 24/7 emergency program means Leesburg is not “Pottinger Compliant,” which in turn means the Leesburg Police Department is very restricted in how it interacts with individuals who are experiencing homelessness. It is critical to understand that due to a series of court rulings (often referred to as “Pottinger vs. City of Miami” or simply “Pottinger”), Law Enforcement Agencies and Law Enforcement Officers will not be able to enforce many ordinances until the community has a fully operational emergency center on a 24/7/168/365 basis.
- There is a widely held myth that Leesburg has and provides “too many services.” The fact is relative to other Florida cities this is simply not true. In fact it is the lack of comprehensive services that has allowed Leesburg homeless community to become so “chronic.” Without treatment and engagement, the problems are simply getting worse.

It should be remembered that it is the weather, not programming services, that initially draws homeless individuals to Florida. Communities with, or on the path way to, beaches, palm trees and golf courses will always attract homeless individuals because of the nice and moderate climate. Then if the community is enabling, homeless individuals will continue to stay on the streets and in encampments.

- There is not a connected “system” of care. Service providers are mostly working in their own isolated silos.

- There is not a coordinated intake system that assesses and triages individual service needs. There needs to be a way to triage and connect individuals to customized and appropriate levels of care based on presenting issues.
- Sadly, many individuals who are experiencing homelessness pursue food services, not holistic programing that address their root cause(s) of their homeless condition. For the most part, supportive services are not connected to, nor co-located with the distribution of meals and food. There is a big opportunity to connect meals and food with holistic services.
- Between the search of meals, many of the individuals who are experiencing homelessness go to the library to get break from elements.

Other Observations:

- The issues of homelessness within Leesburg are high for such a small city, and based on police and citizen interviews, the problem has gotten worse over the last two years. Anecdotal information also indicates that many of the encounters with individuals experiencing homelessness has become more aggressive in nature.
- There are very important issues relating to families with children and unaccompanied minors/youth who are experiencing homelessness within the Leesburg area that need addressing, but “families with children” was not part of the official tasking of this report.

Strategic Action Plan Recommendations

1 - Open a Come-As-You-Are Services Center

Open a basic 24/7/168/365 Come-As-You-Are (CAYA) Services Center for single homeless men and women to dramatically improve the effectiveness and efficiency of service delivery by co-locating and integrating adult homeless services at one location. If Leesburg goes it alone, this site needs to be within Leesburg proper. If Leesburg joint ventures with other cities within Lake County, this site should be centrally located to the partner cities in order to maximize use.

Importance of Weather:

- The moderate weather of Florida, South Texas and Southern California makes these three parts of the country highly attractive inbound target areas for individuals experiencing homelessness who want to visit and/or relocate from northern colder/harsher environments. Individuals very seldom relocate because of services, in fact there is some evidence that 24/7 holistic recovery programs deters inbound relocation.
- Lake County is on a major transit corridor for homeless individuals moving north to south, south to north.
- Whether Lake County is a target destination or a passing-through corridor, Lake County will always have to address the issue of new inbound individuals who are experiencing homelessness.
- It is very important to understand the passing-through “transients” who may or may not be experiencing homelessness are not the main causal factors to police activities and complaints of the general public. In fact, very little of the police activity are caused by individuals “passing-through.”

Pottinger Case Law and Tie to Services:

- It is very important to note that due to a series of court rulings (often referred to as “Pottinger vs. City of Miami” or simply “Pottinger”), Law Enforcement Agencies and Law Enforcement Officers will not be able to enforce most ordinances until fully operational facility is opened on a 24/7/168/365 basis.

Location, Construction and Set-up:

- If Leesburg goes it alone, this Services Center site needs to be within Leesburg proper. If Leesburg joint ventures with other cities within Lake County, the Services Center site should be centrally located to the partner cities in order to maximize use. See Exhibit 5 -

Basic Evaluation of Potential CAYA Service Center Locations on Page 34 for a concept-level evaluation of potential sites.

- Because of the financial realities, the Services Center needs to have an affordable set-up and start-up cost. See Exhibit 3 - *Generic Base Start-up Capital Budget* on Page 32 for a baseline capital budget for a CAYA Services Center in Leesburg.
- It will be very important to have good and safe ingress/egress.
- It will be very important to have “ergonomic buffers.”
- The Services Center needs to have physical office space for security, in-take services, case management, group meetings, etc.

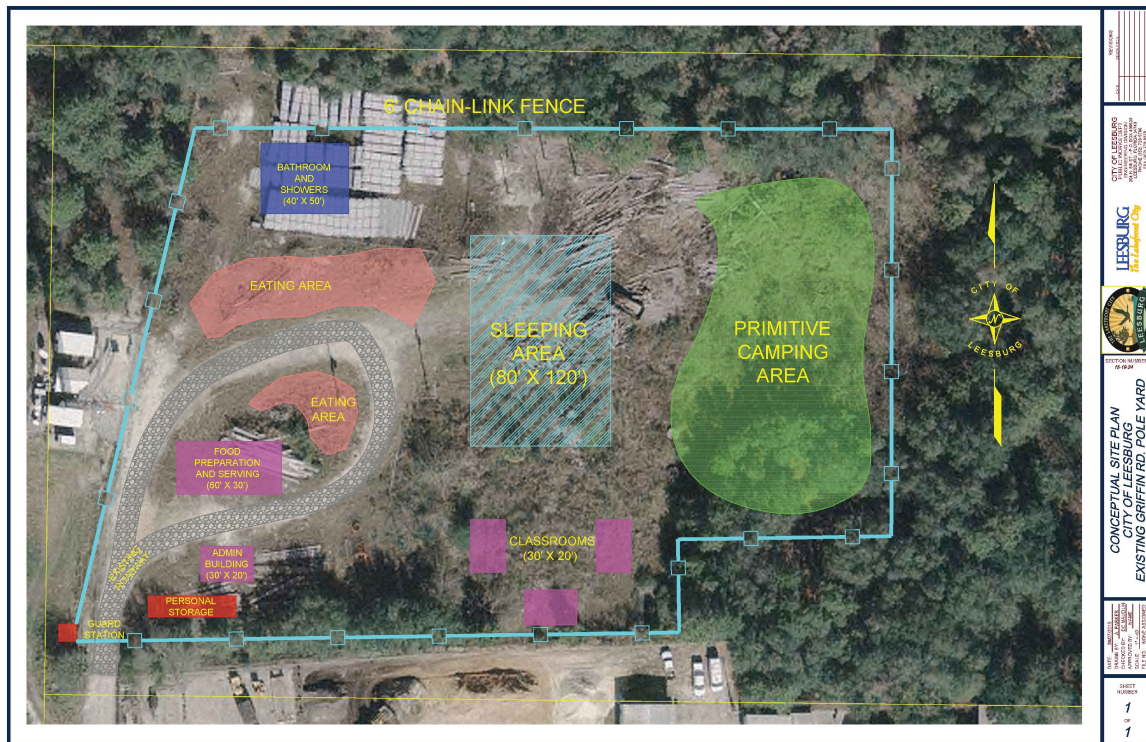
The Services Center must also have a prep kitchen, eating area, bathrooms and showers.

Sleeping areas can be as simple as tented sleeping areas.

The Need for 24/7 Services:

- It is very important to understand that individuals experiencing homelessness do not “graduate” from street-life back into general society if they are enabled to stay on the streets, in parks or in encampments. Likewise, individuals experiencing homelessness do not graduate from street-life by being incarcerated in a jail. A person will never experience recovery if they are sleeping under a bridge or sleeping on a jail cell floor since they are not in a formal 24/7 recovery program.
- The most successful and proven way to increase the rate of street graduations is for individuals to be in formal programs that provide holistic, transformational services 24 hours a day, seven days a week. Holistic and transformational means comprehensive services including master case management, mental/behavioral health, substance abuse treatment, life skills training, job training, job placement, etc.
- The lack of emergency level holistic services is the primary reason why there are so many individuals who have become chronically homeless in Leesburg.
- National best practices indicate that communities need to have at least one 24/7/168/365 “Come-As-You-Are” services center as part of their overall continuum of care (sometimes referred to as a low-demand-shelter). City of Leesburg does not have a true come-as-you-are 24/7/168/365 facility any where.

Concept diagram of the Services Center on the 2300 Block of Griffin Road (“Pole Yard”) site:



Operations:

- Because of the financial realities, the Services Center should be a basic facility that is easy to maintain and relatively inexpensive to operate. See Exhibit 4 - *Generic Annual Operations Budget* on Page 33 for an example of a baseline operations budget.
- As many Leesburg/Lake County service partner organizations/agencies/programs as possible should be recruited to co-locate their specific services for adult men and women experiencing homelessness to this 24/7 Services Center. As much as possible, “specialty service providers” and “referral service providers” should be encouraged to operate part time part-time within the Services Center.
- Potential anchor service partners:
 - + LifeStream should become the coordinating partner and provide master case management, mental health, substance abuse services and administrative services.

- + Christian Care Center should be asked to provide the daily on-site dinner and off-site medical, dental and vision services, as well as other referral services.
- + Salvation Army should be asked to provide the daily on-site breakfast as well as referral services.
- + Churches, synagogues and other faith based and civic organizations should be encouraged to provide lunches and when needed breakfasts and dinners.
- All agencies, programs and service providers should adopt the “culture of transformation” in all aspects of their operations. The focus needs to be on the overall mission of reducing street-level homelessness and graduating people from the streets to becoming productive community members.
- Once operational, all street feeding programs and food pantry programs for single adult men and women experiencing homelessness should be encouraged to relocate to (or at least coordinated with) Services Center.
- As many of the following services should be included within the Services Center as possible (full-time and/or part-time and/or as a referral service):
 - + Engagement Into the Services Center:
 - * Outreach - interface with Homeless Outreach Teams (HOTs)
 - * Intake, registration and assessment
 - * Master Case Management
 - + Medical:
 - * Medical (off-site referrals)
 - * Dental (off-site referrals)
 - * Vision (mostly off-site referrals)
 - * If possible, pharmacy services (on-site)
 - * Mental health (on-site and off-site referrals)
 - * Addictive disorders and substance abuse services (on-site and off-site referrals)
 - + Job Placement Services:
 - * Legal services and ID recovery
 - * Life skills training
 - * Job skills training (includes interview and resume training)
 - * Job placement and retention coaching
 - * Recruitment of local businesses to create job opportunities

- + Hygiene Services:
 - * 24/7 bathrooms
 - * Showers
 - * Hygiene skills training and services
 - * Hair cut services (to be presentable for job interviews)
- + Overnight Sleeping:
 - * Low demand sheltering
 - * Transitional living (by referral)
- + Feeding:
 - * Establishment of a commercial kitchen
 - * Food and meals
 - * Coordination of meals (delivery and prep from non-profits and churches)
- + Other Support Services:
 - * Clothing closet
 - * Housing out-placement
 - * Veteran services
 - * Daytime activities
 - * Property storage
 - * Donation center
- + Administration:
 - * Administrative services
 - * Security
 - * Storage
 - * Volunteer coordination
 - * Community service and on-site work crews
- The Services Center must be a “Good Neighbor.”
- For safety reasons, the queuing for intake must occur inside of the Services Center not on the street.
- Safety, health and hygiene are all negatively impacted by dirty, soiled and cluttered environments. Therefore, Services Center needs to embrace national best practices of “*Look, Feel and Smell*” standards:
 - + all areas need to be organized neatly and uncluttered (look)
 - + all areas need to be warm and nurturing (feel)
 - + all areas need to smell like a nice home - should not smell dirty and soiled, nor should it smell like cleaning solutions (smell)

- Having high standards dignifies the folks being helped while fostering higher standards for staff and volunteers. Individuals respond to their surroundings. Neat, clean and warm feeling environments lead to more positive out-comes than dirty, soiled and cluttered environments. Embracing a high environmental quality also helps in being a good neighbor.
- How a facility is operated is as equally important to where a facility is sited. The goal is to reduce the hanging-out and minimize the “crumb-trail” between service agencies by encouraging individuals to come into programming.
- High quality environments also increase resources to agencies in the following four ways:
 - + increases volunteers
 - + increases funding
 - + increases staff member and volunteer productivity
 - + extends the useful life of the physical plant and infrastructure
- It is very important that the broader Leesburg Community needs to realize this as a problem of the “whole” and that this affects the entire Leesburg Community. It is therefore critical to have a City-wide “system” that is holistic and integrated.

2 - Transform HMIS from a “Score Keeper” to a “Proactive Case Management Tool”

The Homeless Management Information System (HMIS) needs to be transformed from a "Score Keeping Model" to a "Proactive Case Management Tool." To accomplish this, the software program may need a couple component upgrades. Additionally, to reduce impediments to universal use, a system-wide-all-agency information release form should be utilized by all agencies. Furthermore, in order to promote universal agency participation, funding to service agencies by foundations, government agencies and the Continuum of Care should become contingent on being proactive participants in HMIS.

- HMIS provides a helpful “score-keeper” function, however, HMIS needs to move from being a passive score-keeper to being a proactive case management tool within a truly integrated Master Case Management System.
- Using HMIS as a proactive case management tool includes using it for the following activities: tracking recovery action plans, making referrals to providers, tracking bed availability in real-time and using dashboard data to make tactical and strategic decisions about operations.
- Data entry needs to be “real-time” and “universal” across all agencies in order to facilitate coordination of care across the Continuum of Care.

- An “universal release” could be developed and utilized by all homeless agencies participating in the Mid Florida Homeless Coalition and Continuum of Care. Before implementing the universal release, each provider will need HIPAA and data security training to ensure they protect the privacy and best interest of the individuals experiencing homelessness. There are templates that exist that can help facilitate real-time data sharing and improved out-comes reporting, which could position the Continuum of Care for new funding opportunities.

3 - The Culture of How the Community Addresses Homelessness Needs to Change

The entire Leesburg Community needs to change how it addresses the issue of homelessness. This includes service agencies, faith-based organizations, volunteers, staffs, donors, funders, government agencies, programs, residents, tourists and the homeless community. The mission should no longer be to “serve” the homeless community, instead the mission should be to dramatically and consequentially increase “street graduation” rates. Specifically, the Leesburg Community needs to:

- a - Move from a “*Culture of Enablement*” to a “*Culture of Engagement.*”
- b - Move from “*Agency-centric*” to “*System-centric*” funding and processes.
- c - Move from “*Out-put Measurements*” to “*Out-come Measurements.*”
- If the greater Leesburg community keeps doing the same activities in the same ways, the number of street-level chronic homeless individuals will dramatically increase and likely become more aggressive. There needs to be an across-the-board “*Change in Thinking and a Change in Doing.*”
- The mission should no longer be to “serve” the homeless community, instead the mission should be to dramatically and consequentially increase “street graduation” rates. A street graduation occurs when an individual moves from living on the street (or in an encampment) into a sustainable quality of life that allows the individual to be a productive citizen of the community.
- The entire community needs to move from a culture of enablement to a culture that engages individuals experiencing homelessness in all aspects of daily life. Free food, handouts of camping equipment and cash from panhandling - although well intended by nice folks - actually perpetuates and increases homelessness through enablement. Rather than street handouts of food and cash, donations should instead be redirected to high performing agencies. A media and public awareness campaign needs to be developed to educate and encourage the community to move from a culture of enablement to a culture of engagement.

- The culture needs to move from measuring “out-puts” of service to one that measures “out-comes” of systematic change. Success should be measured using substantive “out-come” metrics (are street graduation rates increasing or is the percent of homeless individuals in jail decreasing, rather than how many meals are served or how many people slept in building overnight).
- Homeless individuals who want help, should be provided engaging help. Individuals who turn down help, should not be enabled.
- “Hanging-out” should be replaced by “program participation.” Every effort possible must be made to engage individuals into programming.
- Engagement should never be mean - instead engagement should always be kind, caring and compassionate.
- The City of Leesburg may want to consider instituting a curfew of the trail system (maybe “dusk-to-dawn”) and/or increasing police patrols of the trail system (maybe on bikes or ATVs).
- The City of Leesburg may want to consider establishing HOTeams (Homeless Outreach Teams) in order to positively engage individuals experiencing homelessness.

Immediate Next Steps

- Get started and do not get bogged down in politics or NIMBY'ism. Simply just start!!
- Start by pursuing a joint venture Services Center with other cities within the “triangle,” especially Eustis.
- If Eustis wants to partner, then start a formal site selection of possible sites along 441 between the airport and county criminal justice center.
- If Eustis chooses not to joint venture, then start a formal site selection of possible sites within the City of Leesburg.

Exhibit 1 -
Program/Agency Site Visits, Tours, Meetings and Conference Calls (partial listing)

Kent Adcock
Habitat for Humanity Lake-Sumter FL
Chief Executive Officer

Kevin Bowers
Hope & Recovery Center Rehabilitative Services - LifeStream Tally Road Campus
Director –

W. David Braughton, MSSA
LifeStream Behavioral Center
Chief Operating Officer

Timothy Bridges
Lake Community Action Agency
Director of Program Operations

Lesha Buchbinder
Early Learning Coalition of Lake City
Executive Director

Denise Burry
Forward Paths Foundation
President

Welton G. Cadwell
Lake City Florida
City Commissioner, District 5

Jonathan M. Cherry
LifeStream Behavioral Center
President & C.E.O.

Melissa J. Curry
City of Leesburg
Library Youth Services Supervisor

Hon. Elise Dennison
City of Leesburg
Mayor

Ellen Didion
Sumter Sunshine Foundation
Executive Director

Lucy B. Gangone
City of Leesburg
Library Director

Darren Gray
City of Clermont
City Manager

Rick Hankey
Hope & Recovery Center Hospital - LifeStream Tally Road Campus
Sr. Vice President

Lieutenant Matt Hedgren
The Salvation Army - Lake and Sumter Counties
Corps Officer

Tessa Hibbard
President / CenterState Bank
Leesburg Chamber of Commerce / Branch Manager

Chief Robert W. Hicks
Leesburg Police Department
Chief of Police

Hon. Michael L. Holland
City of Eustis
Mayor

Officer Mike Howard
City of Leesburg
Code Enforcement Officer

Bill Jones
Christian Care Center
Executive Director

Rev. Joanne Knight
Come As You Are Ministry
Pastor/Founder

Timothy Layne
Early Learning Coalition of Lake City
Family Services Director

Jeanne Leopold
Catholic Charities of Central Florida, Diocese of Orlando
Caseworker

James H. Lowe, CCAP
Lake Community Action Agency / Mid Florida Homeless Coalition
Executive Director / Co-Founder

Dusty Hill Matthews
City of Leesburg
Library Adult Services Supervisor

DC Maudlin
City of Leesburg
Director of Public Works

Jim Miller, CCIM, ALC
Grizzard Real Estate
Commercial Real Estate Group

Al Minner
City of Leesburg
City Manager

Sandi Moore
Leesburg Chamber of Commerce
Executive Director

Mary Lou Mroczkowski
Catholic Charities of Central Florida, Diocese of Orlando
Volunteer

Ronald R. Neibert
City of Eustis
City Manager

James E. Neumann, Jr.
Clean Kids Backpack
President

Father Mark J. Niznik
St. Paul Parish / Clean Kids Backpack
Pastor / Founder

Lee Owen
Habitat for Humanity Lee-Sumter FL
Board Chair

Jim Polk
Businessman
Land Owner

Claudia Procko
City of Leesburg
Library Support Services Managers

Shay Anne Razaire
Forward Paths Foundation
Resource Analysis

Joe W. Shipes
Leesburg Partnership
Executive Vice President

Danielle Stroud
Habitat for Humanity Lake-Sumter
Fund Development Manager

Timothy I. Sullivan
Lake County Commissioners
County Commissioner, District 1

Ken Thomas, MPA
City of Leesburg
Director of Housing & Economic Development

B.E. Thompson
LifeStream Behavioral Center / Mid Florida Homeless Coalition / Florida Coalition for the Homeless
Director of Development / President / President

Bennett Walling
Walling Engineering and Palm Plaza
Owner

Barbara Wheeler
Mid Florida Homeless Coalition
Executive Director

Officer Travis Whitley
Leesburg Police Department
Officer

Numerous City of Leesburg Citizens

Numerous Individuals Experiencing Homelessness Within the City of Leesburg

Several Community Group Meetings

Several Volunteers and Staffers at Different Faith-based Meetings

Tour of City Trails

Tour of Encampments and Camping Sites in Wooded Areas

Tour of Panhandling Sites

Many Others, Some of Whom Requested Anonymity

Exhibit 2 - The Seven Guiding Principles of Homeless Transformation

The Measuring Stick Moving from Enablement to Engagement

After visiting 237 homeless service providers in 12 states and Washington, DC, Dr. Robert Marbut established the following the *Seven Guiding Principles of Homeless Transformation* which he commonly found to be the best practices within communities across the USA. These *Seven Guiding Principles of Homeless Transformation* were used as key measuring sticks when reviewing homeless service providers in Leesburg as well as the overall service network within City of Leesburg.

1. Move to a Culture of Transformation (versus the Old Culture of Warehousing):

Homeless individuals must be engaged and no longer enabled. Everybody within the service delivery system (eg general public, media, elected politicians, appointed officials, boards, staffs and volunteers of service agencies and most importantly the homeless themselves) must embrace a culture of transformation. A culture, that through the help of others, homeless individuals can transform and integrate themselves back into society. For moral and fiscal reasons, homelessness must become an unacceptable condition that is not tolerated in the USA.

2. Co-location and Virtual E-integration of as Many Services as Possible:

In order to increase success, all services within a service area must be e-integrated. Virtual e-integration improves coordination of services, enhances performance, reduces “gaming” of the system, engages individuals on the margin of society and increases cost efficiencies within and between agencies. Furthermore, whenever financially possible, services should be co-located. Co-location goes beyond virtual e-integration by increasing access and availability into a shorter period of time through the reduction of wasted time in transit and minimization of mishandled referrals. Co-location also increases the supportive “human touch.”

3. Must Have a Master Case Management System That is Customized:

Because there are so many different service agencies helping homeless individuals (eg government at multi-levels, non-profits and faith-based), it is critical that ONE person coordinates the services an individual receives and to do so in a customized fashion. The types of service provided is critical, but what is more important is the sequencing and frequency of customized person-centered services.

4. Reward Positive Behavior:

Positive behavior of individuals should be rewarded with increased responsibilities and additional privileges. Privileges such as higher quality sleeping arrangements, more privacy and elective learning opportunities should be used as rewards. It is important that these rewards be used as “tools” to approximate the “real world” in order to increase sustainable reintegration into society. Every aspect of service delivery should be rooted in preparing the individual or family to have sustained success in permanent housing.

5. Consequences for Negative Behavior:

Too often there are no consequences for negative behavior of individuals. Unfortunately, this sends a message that bad behavior is acceptable. Within the transformational process, it is critical to have swift and proportionate consequences.

6. External Activities Must be Redirected or Stopped:

External activities such as “street feeding” must be redirected to support the transformation process. In most cases, these activities are well-intended efforts by good folks; however, these activities are very enabling and often do little to engage homeless individuals.

7. Panhandling Enables the Homeless and Must Be Stopped:

Unearned cash is very enabling and does not engage homeless individuals in job and skills training which is needed to end homelessness. Additionally, more often than not, cash is not used for food and housing but is instead used to buy drugs and alcohol which further perpetuates the homeless cycle. Homeless individuals who are panhandling should be engaged into the transformational process. Furthermore, most panhandlers are not truly homeless but are preying on the good nature of citizens to get tax-free dollars.

**Exhibit 3 -
Generic Base Start-up Capital Budget**

?	Property Acquisition (land and improvements)
?	Site Demolition
?	Site Preparation (includes flood plain and ADA work)
38,000	Buffers (will vary by site)
52,000	Utility Relocation (electricity, water and sewage - will vary by site)
8,000	Entry Control Point
6,000	Property Storage Structure
20,000	Administrative Building
45,000	Classroom Buildings (3)
80,000	Sleeping Area Pad (120' x 80')
55,000	Food Prep and Serving Area
100,000	Bathroom and Shower Building (12/6)
41,000	Contingency
<hr/>	
\$445,000	Total

Note: Capital start-up costs will vary by site (eg terrain, sight-lines, size, ergonomics, etc.). Once a specific site is picked, a customized capital start-up budget can be developed.

Note: DC Maudlin, Director of Public Works for the City of Leesburg, developed the base capital budget based on project scope set up by Dr. Robert Marbut.

**Exhibit 4 -
Generic Annual Operations Budget**

209,664	Monitors (24/7/2)
49,504	Janitorial and Grounds (16/7/1)
36,500	Bathroom and Cleaning Supplies
22,000	Repair and Maintenance
20,800	Equipment
20,125	Operational Supplies
58,240	Administration and Volunteer Services (8/7/1)
13,100	Office Supplies
23,700	Communications and Computers
41,812	Utilities
24,600	Contingency
?	Case Managers (depends on location)
?	Transportation (depends on location)
?	<u>Meals/Food (depends on location)</u>
520,045	Total

Note: Operation costs will vary by site (eg added transportation, sight-lines, size, ergonomics, etc.) and interrelate with trade-offs of the capital construction budgets (eg more security cameras less security personnel). Once a specific site is picked, a customized operation budget can be developed.

Exhibit 5 - Basic Evaluation of Potential CAYA Services Center Locations

Based on the research and observations to date, a 24/7 Come-as-You-Are Services Center is critically needed in order to successfully address street-level and chronic homelessness in Leesburg.

A 24/7 Come-as-You-Are Services Center sometimes called a “public safety triage and stabilization unit” or a “low-demand-shelter” should include holistic and comprehensive 24/7 programming.

It is very important to understand that homeless individuals do not “graduate” from street life back into general society if they are enabled to stay on the streets, in parks or in encampments. Likewise, homeless individuals do not graduate from street-life while being incarcerated.

The most successful and proven way to increase the rate of street graduations is for individuals to be in formal programs that provide holistic, transformational services 24 hours a day, seven days a week. Holistic and transformational means comprehensive services including master case management, behavioral health, substance abuse treatment, life skills training, job training, job placement, etc.

Based on national best practices found in dozens of other communities, the following are the criterion that was used to evaluate sites:

- In order to reduce pedestrian and bicycle traffic passing through neighborhoods, and to increase efficiencies within the overall service system, this 24/7 Come-as-You-Are Services Center ideally should be located within a short walking distance of existing programs, preferably between service agency anchors.
- In order to maximize jail diversion for individuals whose legal involvement may be a result of untreated mental illness or substance abuse disorders, the Public Safety 24/7 Come-as-You-Are Services Center should be within a short drive of the County Jail.
- In order to improve neighborhood quality of life, it is critical to have existing ergonomic natural and/or industrial buffers around the facility and/or have the ability to create buffers.
- In order to save money and ramp-up quickly, the site needs to be readily available for use (eg there needs to be a willing seller and/or the property be owned by local government).
- In order to be a good steward of taxpayers’ dollars, the cost of acquiring the land needs to be affordable.

- In order to be cost effective, the cost to build and/or renovate and/or install buildings needs to be affordable.
- In order to be cost effective, the establishment of support infrastructure and utilities needs to be affordable.
- In order not to waste taxpayers' dollars, the facility needs to be "right sized." We do not want to over-build a facility that has wasted space nor do we want to under-build a facility in such a way that hinders program and operational functionality.
- In order to start helping individuals, reduce fatalities and get community relief as soon as possible, the ramp-up time of a site should be short.
- Are there are any site-specific impediments that might stop or delay the "go-live" date of its operation?

The main goal is to pick the site that is in the best overall interest of Leesburg and one that promotes the operational success of the Services Center. The hope is the site selection will not get bogged down by NIMBY'ism nor political rivalries.

As is true in most public-good site location efforts anywhere in the USA, there is no "ideal" location. It is therefore important to remember the mission is to come up with the most viable location that is available, and not to endlessly pursue a hypothetical location that does not exist in the real world.

This researcher was given potential locations by realtors, advocates, service agency staffers, property owners, elected officials, government staffers and members of the general public. Some of the sites given this researcher did not have willing sellers. Additionally, this researcher drove throughout targeted areas to identify possible sites. Below are the sites that have been evaluated at a "Concept-Level" only, detailed evaluation was not part of the scope, and no environmental studies were conducted (sites are in alpha-numeric order):

400 Block North 13th Street (East Side):

Site Control: Difficult/Impossible

Site Purchase Cost: High

Capital Construction Budget: Very Low (Least Expensive Site to Build-out)

Ingress/Egress: Excellent

Buffers: Excellent

Technical Operations: Is the Best Operating Location Available

Operational Budget: Would be the Least Expensive Site to Operate

Speed of Opening: Very Fast

Notes: Overall, this is the best “technical” site . . . this site would have a very inexpensive build-out and has existing buffers . . . also, this site would be very inexpensive to operate since services could be piggy backed on Christian Care Center (eg medical, dental, case management, etc.), Catholic Charities and to lesser extent the food bank . . . the problem with this site is the land owner is unwilling sell unless all connecting parcels are purchased (5-8 parcels)

441 US Highway Generic Site (Between Airport and County Criminal Justice Complex):

Site Control: Would Need Willing Seller

Site Purchase Cost: High

Capital Construction Budget: High

Ingress/Egress: Could be Good

Buffers: Could be Good

Technical Operations: Would be Complex / But Centralized for a Joint Venture Site

Operational Budget: Very High

Speed of Opening: Slower

Notes: A generic 441 US Highway site makes imminent sense if the Come-As-You-Are Services Center was a joint venture of Eustis and other cities within the “Triangle” . . . this could be several blocks north or south of US 441 . . . this site would be more expensive to develop and more expensive to operate, but these increases could be made-up if the costs were being shared by multiple cities. **This would be the best site if Leesburg was to be doing a joint venture with Eustis and other “triangle” cities.**

1100 Block of County Road 468 (“Courts”):

Site Control: Easy

Site Purchase Cost: Free

Capital Construction Budget: Very High

Ingress/Egress: Very Poor and Likely Dangerous

Buffers: Very Poor

Technical Operations: Operations Would be Very Complex

Operational Budget: Very High

Speed of Opening: Fast

Notes: Even though this site is attractive on construction setup basis, the operational logistics would be very difficult and operational costs would be very high.

1400 Block of Center Street (Across the Street from Power Sub-station):

Site Control: Easy

Site Purchase Cost: Base Costs Low, but Environment Costs Likely Very High

Capital Construction Budget: Very Expensive

Ingress/Egress: Poor and Dangerous

Buffers: Good

Technical Operations: Very Good

Operational Budget: Low

Speed of Opening: Slower

Notes: The close proximity to other service program makes this site attractive . . . unfortunately, it is on the wrong side of North 14th Street (27 US Highway) which makes the ingress/egress dangerous . . . additionally, this site has a lot of wet lands that is non-developable . . . this site also would require significant independent environmental testing, and then environment mitigation that could significantly raise the start-up costs.

2300 Block of Griffin Road (“Pole Yard”):

Site Control: Very Easy

Site Purchase Cost: Free

Capital Construction Budget: High

Ingress/Egress: Excellent

Buffers: Excellent

Technical Operations: Would be Complex.

Operational Budget: High

Speed of Opening: Fast

Notes: For a variety of reasons, this is an excellent site . . . this site would be very inexpensive and fast to set-up . . . the downside of this site is the operating costs would be high because this site would not be able piggy-back on the operations of the Christian Care Center, Catholic Charities and Food Bank on North 13th Street since it is so far away . . . **Would be the likely best site if Leesburg was to be going it alone.**

2600 Block of Griffin Road (“Old Tree Farm”):

Site Control: Possible

Site Purchase Cost: High

Capital Construction Budget: High

Ingress/Egress: Good

Buffers: Very Good

Technical Operations: Would be Complex

Operational Budget: High

Speed of Opening: Fast

Notes: Has the same benefits and challenges as the 2300 Block of Griffin Road site, except this parcel would be significantly more costly to acquire.

South Street Generic Site:

Site Control: Would Need Willing Seller

Site Purchase Cost: High to Very High

Capital Construction Budget: High to Very High

Ingress/Egress: Very Poor and Dangerous

Buffers: Could be Good

Technical Operations: Extremely Challenging

Operational Budget: Very High

Speed of Opening: Slower

Notes: The complexities of operation on South Street are so challenging, that the operating budget would be so high as to be prohibitive.

Exhibit 6 - Robert G. Marbut Jr., Ph.D. Biography

Dr. Robert Marbut has worked on homeless issues for more than three decades: first as a volunteer, then as a White House staffer to President H.W. Bush, later as a San Antonio City Councilperson/Mayor-Pro-Tem and most recently as the Founding President & CEO of Haven for Hope (the most comprehensive homeless transformational center in the USA).

In 2007, frustrated by the lack of real improvement in reducing homelessness, and as part of the concept development phase for the Haven for Hope Campus, Dr. Marbut conducted a nationwide best practices study of homeless services. After personally visiting 237 homeless service facilities in 12 states and the District of Columbia, he developed *The Seven Guiding Principles of Homeless Transformation*. Since then, Dr. Marbut has visited a total of 708 operations in 21 states, plus Washington, DC and Mexico City, DF and has helped hundreds of communities and agencies to dramatically reduce homelessness.

These *Seven Guiding Principles of Transformation* are used in all aspects of his work to create holistically transformative environments in order to reduce homelessness.

Dr. Marbut was a White House Fellow to President George H.W. Bush (41, the Father) and a former chief of staff to San Antonio Mayor Henry Cisneros.

He earned a Ph.D. from The University of Texas at Austin, Austin, Texas in International Relations (with an emphasis in international terrorism and Wahhabism), Political Behavior and American Political Institutions/Processes from the Department of Government.

He also has two Master of Arts degrees, one in Government from The University of Texas at Austin and one in Criminal Justice from the Claremont Graduate School. His Bachelor of Arts is a Full Triple Major in Economics, Political Science and Psychology (Honors Graduate) from Claremont McKenna (Men's) College.

Dr. Marbut also has completed three post-graduate fellowships, one as a White House Fellow (USA's most prestigious program for leadership and public service), one as a CORO Fellow of Public and Urban Affairs and one as a TEACH Fellow in the Kingdom of Bahrain and the State of Qatar (1 of 13 USA educators selected). He was also a member of the Secretary of Defense's JCOC 2000 class.

Contact Information:

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**MINUTES OF THE CITY COMMISSION MEETING
THURSDAY, SEPTEMBER 17, 2015**

The City of Leesburg Commission held a meeting regarding the Tentative Millage and Budget Adoption Thursday, September 17, 2014, in the Commission Chambers at City Hall. Mayor Dennison called the meeting to order at 5:32 p.m. with the following members present:

Commissioner Bob Bone
Commissioner John Christian
Commissioner Dan Robuck
Mayor Elise Dennison

Commissioner Jay Hurley was absent. Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, the news media, and others.

Gas Director Jack Rogers gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

Public Hearing on the proposed millage and proposed budget for Fiscal Year 2015-2016.

HEARD THE NAME OF THE TAXING AUTHORITY, THE ROLLED BACK RATE, AND THE MILLAGE RATE TO BE LEVIED

Budget Manager (BM) Brandy McDaniel stated the Name of the Taxing Authority is the City of Leesburg, Florida. The proposed Millage Rate of 4.2678 is the current year rolled back rate and is 1.16% lower than the previous year's Millage Rate; the Millage Rate to be Levied: 4.2678 Mills per \$1,000.

DISCUSSED THE PROPOSED AGGREGATE MILLAGE RATE

BM McDaniel stated July 27, 2015, the Commission approved the current year rolled back millage rate of 4.2678 mills per \$1,000. Whereas, the proposed budget was developed using 4.3179 mills per \$1,000. Therefore, the current year proposed aggregate millage rate of 4.2678 mills per \$1,000 represents a 1.16% reduction from the current year millage rate, therefore, this is not considered a tax increase under TRIM guidelines.

REQUESTED COMMENTS FROM THE PUBLIC REGARDING THE TENTATIVE MILLAGE RATE

There were none.

ADOPTED RESOLUTION 9664 TENTATIVELY ADOPTING THE MILLAGE RATE OF 4.2678 PER \$1,000 TAXABLE VALUE FOR FISCAL YEAR 2015-2016

Commissioner Christian introduced the resolution to be read by title only. CC Purvis read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA TENTATIVELY ADOPTING 4.2678 MILLS
AS THE FISCAL YEAR 2015-16 MILLAGE RATE FOR THE CITY OF

LEESBURG, FLORIDA, REPRESENTING THE CURRENT YEAR PROPOSED AGGREGATE MILLAGE RATE OF 4.2678 MILLS WHICH IS THE CURRENT YEAR ROLLED BACK RATE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Christian moved to adopt the resolution and Commissioner Robuck seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Christian	Yes
Commissioner Bone	Yes
Mayor Dennison	Yes

Four yeas, no nays, the Commission adopted the resolution.

ADOPTED RESOLUTION 9665 TENTATIVELY ADOPTING THE FISCAL YEAR 2015-2016 BUDGET

Commissioner Christian introduced the resolution to be read by title only. CC Purvis read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, TENTATIVELY ADOPTING THE FISCAL YEAR 2015-16 BUDGET FOR THE CITY OF LEESBURG, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Christian moved to adopt the resolution and Commissioner Robuck seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Bone	Yes
Commissioner Robuck	Yes
Mayor Dennison	Yes

Four yeas, no nays, the Commission adopted the resolution.

ANNOUNCED THE TENTATIVELY ADOPTED MILLAGE RATE

BM McDaniel stated the tentatively adopted millage rate represents the current year proposed aggregate millage rate of 4.2678 mills per \$1,000.

ESTABLISHED AND PUBLICLY ANNOUNCED THE DATE, TIME AND PLACE FOR THE PUBLIC HEARING TO FINALLY ADOPT THE MILLAGE RATE AND THE FISCAL YEAR 2015-2016 BUDGET

BM McDaniel stated the date to finally adopt the millage rate and the Fiscal Year 2015-2016 budget is scheduled for Monday, September 28, 2015, at 5:30 p.m.

CITY ATTORNEY ITEMS: Nothing

CITY MANAGER ITEMS: Nothing

PUBLIC COMMENTS: None

ROLL CALL:

Commissioner Robuck – nothing tonight.

Commissioner Christian – nothing tonight.

Commissioner Bone – nothing tonight.

Mayor Dennison stated she hopes the city is happy with this; a major roll back on the electric fees, thanks to all staff involved. It was a lot of work and was a long time coming, but we feel it is finally corrected and now we have done a roll back on the millage rate. The city of Leesburg should be feeling pretty good right now. Thank you.

ADJOURN:

Commissioner Christian moved to adjourn and the meeting adjourned at 5:38 p.m.

Mayor

ATTEST:

J. Andi Purvis
City Clerk & Recorder



AGENDA MEMORANDUM

Item No: 4.B.1.

Meeting Date: September 28, 2015

From: Travis Rima, Recreation Director

Subject: Amendment 3 renewing a lease for commercial space at the Venetian Cove Marina.

Staff Recommendation:

Staff recommends approval of amendment three renewing the lease agreement for an additional one year period through September 30, 2016.

Analysis:

On October 11, 2010 the City executed a lease agreement with DOPA Enterprises d/b/a Holiday Marine (Holiday Marine) to occupy space at the marina providing watercraft repair services. This will be the third renewal of the lease. Holiday Marine has been an excellent tenant and provides a beneficial use of the space. Tenants storing or mooring their boats at the marina can have work conveniently performed at the marina.

As provided by the original lease agreement Holiday Marine will continue to lease the location at the rate of \$550.00 per month plus all applicable sales tax during the term of amendment three expiring September 30, 2016. The tenant is current on lease payments and a check of the Accounts Receivables system shows they are paid through the end of November.

Options:

1. Approve the resolution authorizing a one year renewal of the lease with Holiday Marine; or
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

Fiscal impact is positive with revenue of \$550.00 per month will be collected by the City from this lease.

Submission Date and Time: 9/23/2015 5:39 PM

Department: <u>Recreation</u> Prepared by: <u>Mike Thornton</u> Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input checked="" type="checkbox"/> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/> Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>001-0000-362-0810</u> Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE AN AMENDMENT NO. 3 EXTENDING
AN EXISTING LEASE WITH DOPA ENTERPRISES D/B/A
HOLIDAY MARINE FOR COMMERCIAL SPACE AT THE
VENETIAN GARDENS MARINA; AND PROVIDING AN
EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:**

THAT the Mayor and City Clerk are hereby authorized to execute an amendment three to a lease agreement with DOPA Enterprises d/b/a Holiday Marine whose address is 1126 North Boulevard East, Leesburg, FL 34748 (email address: holiday@holidaymarine.com) for the purpose of providing watercraft repair services for the Venetian Cove Marina. This is a one year term unless terminated earlier in accordance with the terms of the Lease. Rent of \$550 shall be paid monthly to the City of Leesburg.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk

AMENDMENT THREE OF LEASE AGREEMENT

THIS AMENDMENT is made as of the 28th day of September, 2015, between **THE CITY OF LEESBURG, FLORIDA** a Florida Municipal Corporation, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, Florida 34749-0630 (hereinafter referred to as the "CITY"), and **DOPA ENTERPRISES, INC. d/b/a Holiday Marine** whose address is 1126 North Blvd., Leesburg, FL 3748 (hereinafter referred to as the "LESSEE").

WITNESSETH:

THAT, on October 11, 2010, the CITY and Lessee entered into a lease agreement whereby the Lessee agreed to lease the Leesburg Venetian Cove Marina for providing watercraft repair services (hereinafter referred to as the "Agreement"). **NOW**, the parties wish to extend the term of the Agreement and have entered into this Amendment for that purpose.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties to this Agreement and from other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated by reference herein and made a part hereof.
2. **Amendment.** The parties agree to extend the term of the agreement to September 30, 2016.
3. **Modification.** Except as specifically modified by this Amendment, all terms and conditions of the prior agreement shall continue in full force and effect as originally executed. Nothing herein shall be deemed or construed to amend or modify any other contract or undertaking between the City and Lessee other than as defined above.
4. **Counterparts.** Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document, (e.g., PDF or similar format) are true and valid signatures for all purposes hereunder and shall bind the parties to the same extent as that of an original signature. Any such facsimile or electronic mail transmission shall constitute the final agreement of the parties and conclusive proof of such agreement. Any such electronic counterpart shall be of sufficient quality to be legible either electronically or when printed as hardcopy. The CITY shall determine legibility and acceptability for public record purposes. This Agreement may be executed in one or more counterparts, each of which shall for all purposes be deemed to be an original and all of which shall constitute the same instrument.

[Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have executed the Amendment to the lease on the date stated in the preamble.

THE CITY OF LEESBURG, FLORIDA

By: _____
Mayor

Attest: _____
City Clerk

Approved as to form:

City Attorney

DOPA ENTERPRISES, INC.
d/b/a HOLIDAY MARINE

By: Donald S. Keister

Printed: Donald S. Keister

Its: President
(Title)

Date: 8/24/15



AGENDA MEMORANDUM

Item No: 4.B.2.

Meeting Date: September 28, 2015

From: DC Maudlin, Public Works Director

Subject: Resolution approving execution of Amendment No. 1 to an existing professional services Agreement.

Staff Recommendation:

Staff recommends approval of an amendment for additional services from Booth, Ern, Straughan, and Hiott, Inc. (BESH) for \$13,100.00.

Analysis:

The purpose of this amendment is to obtain professional services related to the design of new restroom facilities and renovation of existing public restrooms at Rogers Park.

The Commission previously approved resolution 9543 for professional services related to the splash pad conceptual design for a not to exceed cost of \$30,805.00. Conceptual design and site selection of the splash pad determined the existing public restrooms at Rogers Park do not meet code requirements for the facility. While renovation of existing or construction of new restrooms does not impact the design of the splash pad, it is advantageous to combine restroom construction/renovation with construction of the splash pad. It is therefore advantageous to amend the professional services contract with BESH to include conceptual design of the restroom construction/renovation in the bid documents.

BESH will be sub-contracting architectural services to Blaise, Fiebach & Associates to (1) analyze two restroom options (construct new facilities or renovate existing facilities), (2) provide preliminary construction costs for each option, and (3) provide 30% plans for construction bidding for the selected option. This amendment will bring the total committed funds for professional services on this project to \$43,905.00.

Options:

1. Approve the resolution authorizing the amendment with BESH, Inc.
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

Funds are available in the Venetian Gardens, Phase I project budget.

Submission Date and Time: 9/23/2015 5:39 PM

Department: <u>Public Works</u> Prepared by: <u>Mike Thornton</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u>Not Required</u> <u>X</u> Dates: <u> </u> Attorney Review : Yes <u> </u> No <u> </u> <u> </u> Revised 6/10/04	Reviewed by: Dept. Head DCM Finance Dept. <u> </u> Deputy C.M. <u> </u> Submitted by: <u> </u> City Manager <u> </u>	Account No. <u>031-5193-519.63-10</u> Project No. <u>310051</u> WF No. <u>WF0934615 / 001</u> Budget <u> </u> Available <u> </u>
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT ONE TO AN EXISTING AGREEMENT WITH BESH, INC. FOR ENGINEERING SERVICES RELATED TO THE VENETIAN GARDENS SPLASH PAD PROJECT; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute Amendment No. 1 with Booth, Ern, Straughan, & Hiott, Inc. whose address is 902 North Sinclair Avenue, Tavares Florida 32778 (email address: rern@besandh.com) for additional professional services amending an existing professional services agreement related to the design of the Venetian Gardens Splash Pad.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk

**AMENDMENT NUMBER 1
TO AGREEMENT FOR PROFESSIONAL SERVICES
VENETIAN GARDENS SPLASH PAD**

THIS AMENDMENT TO THE AGREEMENT is made as of the 14TH day of OCTOBER in the year 2015, between **THE CITY OF LEESBURG, FLORIDA**, a Florida Municipal Corporation, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, Florida 34749-0630 (hereinafter referred to as the "CITY"), and **BOOTH, ERN, STRAUGHAN AND HIOTT, INC.** whose address is 902 North Sinclair Avenue, Tavares Florida 32778 (hereinafter referred to as the "PROFESSIONAL").

WITNESSTH:

WHEREAS, on February 9, 2015, the CITY and PROFESSIONAL entered into an Agreement for professional engineering services to produce a minimum design criteria package required for a design/build construction project for the Venetian Gardens Splash Pad (hereinafter referred to as the "Agreement"). The Agreement is referenced herein as though set forth in full text.

WHEREAS, the CITY and the PROFESSIONAL desire to enter into Amendment No. 1 to the original Agreement.

NOW THEREFORE, for and in consideration of the mutual covenants and promises contained in this Amendment No. 1, the CITY and the PROFESSIONAL do hereby agree as set forth below:

1. The above recitals are true and correct and are incorporated herein.
2. The Parties agree to the Scope of Work and budget pursuant to the terms and conditions set forth in **ATTACHMENT "A"**.
3. The not to exceed costs for the Scope of Work covered by this Amendment as detailed in **ATTACHMENT "A"** total **\$13,100.00** for the addition of Task 008 providing professional services related to the restroom options.
4. The original terms and conditions contained in the Agreement remain in effect and unchanged unless specifically noted above.
5. **Counterparts.** Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document, (e.g., PDF or similar format) are true and valid signatures for all purposes hereunder and shall bind the parties to the same extent as that of an original signature. Any such facsimile or electronic mail transmission shall constitute the final agreement of the parties and conclusive proof of such agreement. Any such electronic counterpart shall be of sufficient quality to be legible either electronically or when printed as hardcopy. The CITY shall determine legibility and acceptability for public record purposes. This Agreement may be executed in one or more counterparts, each of which shall for all purposes be deemed to be an original and all of which shall constitute the same instrument.

[Signature page follows.]

BOOTH, ERN, STRAUGHAN AND HIOTT, INC. THE CITY OF LEESBURG, FLORIDA

By: _____

Printed: Robert A. Ern, Jr., P.E.

Attest: _____

Its: Vice President
(Title)

ATTACHMENT “A”

The services specified below have been requested by the CITY and are in addition to the original Scope of Work. Each individual sub-task is listed below.

ADDITIONAL SERVICES:

TASK 008 ARCHITECTURAL SUPPORT SERVICES FOR RESTROOM IMPROVEMENTS

PROFESSIONAL shall contract with Leesburg firm Blaise, Fiebach & Associates, Inc., P.A., to provide architectural support services for the proposed restroom renovations and upgrades. Limited scope of services includes the following:

- Prepare conceptual plans for two restroom options
- Prepare preliminary cost estimates for the above two options
- Attend approximately 4 meetings with Owner
- Prepare 30% plans and notes for project bidding for the one City chosen option

Fee for the additional Task 008: \$13,100.00

[End of Attachment A.]



AGENDA MEMORANDUM

Item No: 4.C.1.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Resolution re-appointing two regular members and one alternate member to the Leesburg Planning Commission

Staff Recommendation:

Staff recommends the City Commission approve the re-appointment of two regular members and one alternate member to the Leesburg Planning Commission, with terms to expire on September 30, 2018.

Analysis:

The Leesburg Planning Commission consists of seven (7) members plus one alternate member, all appointed by the City Commission for varied terms. At the present time, the Planning Commission has two regular member positions with terms set to expire September 30, 2015; Mr. Frazier J. Marshall and Mr. Ted Bowersox. There is also one alternate member's term expiring at the same time; Mr. Stewart Kaplan. Their applications are attached for City Commission review.

Staff recognizes that the City has a diverse and motivated group of citizens currently serving on the Planning Commission. All current members, including the applicants noted herein, are highly capable and dedicated to improving the City through quality development recommendations. With this thought in mind, staff respectfully recommends that the commission approves the resolution as presented, to maintain the current membership and experience. Within the next year, staff expects at least one regular member to retire, which will create an open regular member position. At that time, it is staff's intent to recommend the current alternate as a regular member and advertise for a new alternate member.

Options:

1. Re-appoint Frazier J. Marshall and Ted Bowersox as regular members of the Planning Commission and Stewart Kaplan as an alternate member to the Planning Commission, with these appointments to expire on September 30, 2018.
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

The City of Leesburg budget provides funding to reimburse the Planning Commissioners for serving at the rate of \$25.00 per meeting.

Submission Date and Time: 9/23/2015 5:39 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: Yes <input type="checkbox"/> No <input type="checkbox"/> Advertised: <input type="checkbox"/> Not Required <input type="checkbox"/> Dates: _____ Attorney Review : Yes <input type="checkbox"/> No <input type="checkbox"/> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ MWR Submitted by: City Manager _____	Account No. <u>001-6151-515-3110</u> Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, REAPPOINTING TO THE LEESBURG
PLANNING COMMISSION TWO REGULAR MEMBERS AND
ONE ALTERNATE MEMBER, WITH TERMS TO EXPIRE AS OF
SEPTEMBER 30, 2018, AND PROVIDING AN EFFECTIVE
DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
LEESBURG FLORIDA:**

THAT the City Commission of the City of Leesburg, Florida finds there are currently two (2) regular members of the Planning Commission whose terms expire on September 30, 2015, and one (1) alternate member of the Planning Commission whose term expires on September 30, 2015.

THEREFORE: the City Commission hereby re-appoints Frazier J. Marshall and Ted Bowersox as regular members with terms expiring September 30, 2018 and one alternate member, Stewart Kaplan, with a term to expire September 30, 2018 to the City of Leesburg Planning Commission.

THIS RESOLUTION shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28TH day of September 2015.

Mayor, Elise A. Dennison

ATTEST:

City Clerk, J. Andi Purvis

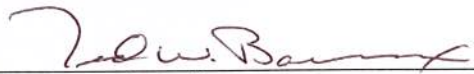


City of Leesburg Appointed Boards & Commission Application

Date:				Name:	<i>Frazier J. Marshall</i>		
Mailing Address:	<i>1510 Woodlyn Dr. Leesburg FL 34748</i>						
Home Address:	<i>1510 Woodlyn Dr. Leesburg FL 34748</i>						
Home Telephone Number	<i>352-348-5765</i>						
Business Name & Type	<i>Rose of Sharon of Central FL LDC</i>						
Business Address:	<i>P.O. Box 490854 Leesburg FL 34748</i>						
Business Telephone Number:	<i>352-435-9209</i>						
Position	<i>President</i>						
Education, Training Or Experience Related To The Activities Of The Advisory Body To Which Appointment Is Sought:							
Professional Organizations/Membership: <i>Community Development</i>							
<i>Cooperation</i>							
Have You Served On A City Board Or Committee In The Past?					<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/>
If Yes – Dates Served:							
Name of Board or Committee:					<i>Planning Commission</i>		
Library Board				Historic Preservation Board			
Planning Commission				<input checked="" type="checkbox"/> Greater Leesburg CRA			
Carver Heights & Vicinity CRA				General Employees Retirement Board of Trustees			
Fire Department Pension Board of Trustees				Police Department Pension Board of Trustees			
Other (Specify):							
I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my business or professional interests conflict with the interests of the Advisory Body, I will not participate in such deliberations.							
Signature of Applicant					Return To: City Clerk's Office City of Leesburg P.O. Box 490630 Leesburg, FL 34749-0630		

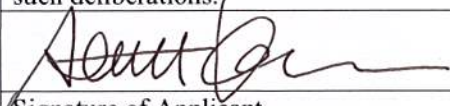


City of Leesburg Appointed Boards & Commission Application

Date:	8-20-15	Name:	Ted W. Bowersox		
Mailing Address:	2301 Gator Pond Lane				
Home Address:	Leesburg FL 34748				
Home Telephone Number	352-787-6741				
Business Name & Type	Retired				
Business Address:					
Business Telephone Number:					
Position					
Education, Training Or Experience Related To The Activities Of The Advisory Body To Which Appointment Is Sought: Chairmand of Board of Adjustment Past P+2 member, Past City Commissioner					
Professional Organizations/Membership: Rotary					
Have You Served On A City Board Or Committee In The Past? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
If Yes – Dates Served:					
Name of Board or Committee: P+2, BOA, & City Commission					
	Library Board			Historic Preservation Board	
	Planning Commission <input checked="" type="checkbox"/>			Greater Leesburg CRA	
	Carver Heights & Vicinity CRA			General Employees Retirement Board of Trustees	
	Fire Department Pension Board of Trustees			Police Department Pension Board of Trustees	
	Other (Specify):				
I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my business or professional interests conflict with the interests of the Advisory Body, I will not participate in such deliberations.					
 Signature of Applicant			Return To: City Clerk's Office City of Leesburg P.O. Box 490630 Leesburg, FL 34749-0630		



City of Leesburg Appointed Boards & Commission Application

Date:	4 AUG 2015	Name:	STEWART KAPLAN
Mailing Address:	26626 BULL RUN		
Home Address:	SAME		
Home Telephone Number	(352) 787-9850		
Business Name & Type	RETIRED		
Business Address:			
Business Telephone Number:			
Position			
Education, Training Or Experience Related To The Activities Of The Advisory Body To Which Appointment Is Sought:			
LICENSED ARCHITECT IN NY			
SITE PLANNER			
Professional Organizations/Membership:			
LAPSED MEMBER OF AMERICAN INSTITUTE OF ARCHITECTS			
Have You Served On A City Board Or Committee In The Past?		Yes	<input checked="" type="checkbox"/> No
If Yes – Dates Served:		2014 TO PRESENT	
Name of Board or Committee:			
<input type="checkbox"/>	Library Board	<input type="checkbox"/>	Historic Preservation Board
<input checked="" type="checkbox"/>	Planning Commission	<input type="checkbox"/>	Greater Leesburg CRA
<input type="checkbox"/>	Carver Heights & Vicinity CRA	<input type="checkbox"/>	General Employees Retirement Board of Trustees
<input type="checkbox"/>	Fire Department Pension Board of Trustees	<input type="checkbox"/>	Police Department Pension Board of Trustees
<input type="checkbox"/>	Other (Specify):		
I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my business or professional interests conflict with the interests of the Advisory Body, I will not participate in such deliberations.			
 Signature of Applicant		Return To:	City Clerk's Office City of Leesburg P.O. Box 490630 Leesburg, FL 34749-0630



AGENDA MEMORANDUM

Item No: 4.C.2.

Meeting Date: September 28, 2015

From: David D. Johnson, Fire Chief

Subject: Resolution authorizing applying and accepting if awarded, a Career Source Central Florida grant for ARFF initial basic and annual training

Staff Recommendation:

Staff recommends applying and accepting if awarded, a grant from Career Source Central Florida, not to exceed \$10,000 to provide half the cost of ARFF initial basic and annual training for firefighters during FY 15/16.

Analysis:

Firefighters trained to work in Airport Rescue Fire Fighting (ARFF) at the Leesburg International Airport must first attend a forty (40) hour basic training course and subsequently participate in an annual practical training that is certified by FAA to retain their certification as ARFF firefighters. Funds from the grant will be used to assist in payment for each these training requirements.

Options:

1. Accept the Career Source Central Florida Grant
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

Half the cost for the training will be paid from the Fire Department budget; the other half will be paid by the grant. If the grant is awarded to the City a budget adjustment will be necessary to add the funds to the FY 15/16 budget.

Submission Date and Time: 9/23/2015 5:39 PM

Department: _____	Reviewed by: Dept. Head _____	Account No. <u>001-0000-331-2200</u>
Prepared by: _____	Finance Dept. _____	Project No. <u>CS1601</u>
Attachments: Yes____ No____	Deputy C.M. _____	WF No. _____
Advertised: _____ Not Required _____	Submitted by: _____	Budget _____
Dates: _____	City Manager _____	Available _____
Attorney Review : Yes____ No____		
Revised 6/10/04		

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE LEESBURG FIRE
DEPARTMENT TO APPLY FOR, AND, IF AWARDED ACCEPT A
CAREER SOURCE CENTRAL FLORIDA GRANT FOR ARFF
INITIAL BASIC AND ANNUAL TRAINING; AND PROVIDING
AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to apply for and execute an agreement with Career Source Central Florida who address is 1415 S. 14th St., Suite 100 Leesburg, FL 34748.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28 day of September 2018.

Mayor

ATTEST:

City Clerk



AGENDA MEMORANDUM

Item No: 4.C.3.

Meeting Date: September 28, 2015

From: David Johnson, Fire Chief

Subject: Resolution authorizing applying and accepting if awarded, a Career Source Central Florida grant for Officer Development training

Staff Recommendation:

Staff recommends applying and accepting if awarded, a grant from Career Source Central Florida, not to exceed \$10,000 to provide half the cost of Officer Development training for firefighters during FY 15/16.

Analysis:

Firefighters must attend classes in order to promote within the ranks. The classes include: Pump Operator, Officer Development, Fire Investigator, and Fire Inspections. Additional classes in Emergency Management training for emergency events that are outside normal emergency operation would include: aftermath of tornadoes, hurricanes, multi-agency responses. Funds from this grant will be used to assist in payment for each these training requirements.

Options:

1. Accept the Career Source Central Florida Grant
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

Half the cost for the training will be paid from the Fire Department budget; the other half will be paid by the grant. If awarded to the City a budget adjustment will be necessary to add the funds to the FY 15/16 budget.

Submission Date and Time: 9/23/2015 5:39 PM

Department: _____ Prepared by: _____ Attachments: Yes____ No____ Advised: _____ Not Required _____ Dates: _____ Attorney Review : Yes____ No____ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>001-0000-331-2200</u> Project No. <u>CS1602</u> WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE LEESBURG FIRE
DEPARTMENT TO APPLY FOR, AND, IF AWARDED ACCEPT A
CAREER SOURCE CENTRAL FLORIDA GRANT FOR OFFICER
DEVELOPMENT TRAINING; AND PROVIDING AN
EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to apply for and execute an
agreement with Career Source Central Florida who address is 1415 S. 14th St., Suite 100,
Orlando, FL 34748.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a
regular meeting held the 28 day of September 2015.

Mayor

ATTEST:

City Clerk



AGENDA MEMORANDUM

Item No: 4.C.4.

Meeting Date: September 28, 2015

From: Patrick M. Foster, P. E., Electric Director

Subject: Resolution accepting and approving a Utility Easement from Carmen Properties, LLC for land located at 2510 US Hwy 27/441.

Staff Recommendation:

Staff recommends approving the Resolution accepting the Utility Easement from Carmen Properties, LLC, pertaining to land located at 2510 US Hwy 27/441 as recorded on August 11, 2015, in Official Records Book 4664, Pages 129-132, Public Records of Lake County, Florida conveying certain real property lying in Lot 6, Block B, Zephyr Lake, a subdivision in the City of Leesburg, Lake County, Florida.

Analysis:

Carmen Properties, LLC is granting Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics and telecommunication.

Options:

1. Adopt the Resolution accepting the Utility Easement as presented; or;
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

Submission Date and Time: 9/23/2015 5:39 PM

Department: <u>Electric</u> Prepared by: <u>Sabrina Hubbell</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u> </u> Not Required <u>X</u> Dates: <u> </u> Attorney Review: Yes <u>X</u> No <u> </u> <u> </u> Revised 6/10/04	Reviewed by: Dept. Head <u>Patrick M. Foster, P. E.</u> Finance Dept. <u> </u> Deputy C.M. <u> </u> Submitted by: <u> </u> City Manager <u> </u>	Account No. <u> </u> Project No. <u> </u> WF No. <u> </u> Budget <u> </u> Available <u> </u>
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING AND APPROVING A UTILITY EASEMENT FROM CARMEN PROPERTIES, LLC, TO THE CITY OF LEESBURG, FLORIDA, FOR PROPERTY LYING IN LOT 6, BLOCK B, ZEPHYR LAKE, A SUBDIVISION IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Commission of the City of Leesburg, Florida, that:

The City of Leesburg, Florida, does hereby accept from Carmen Properties, LLC, a Utility Easement recorded on August 11, 2015, in Official Records Book 4664, Pages 129-132, Public Records of Lake County, Florida, conveying certain real property lying in Lot 6, Block B, Zephyr Lake, a subdivision in the City of Leesburg, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

THIS RESOLUTION shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held the 28th day of September, 2015.

Mayor

ATTEST:

City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:
Fred A. Morrison
McLin & Burnsed, P.A.
Post Office Box 491357
Leesburg, Florida 34749-1357

INSTRUMENT #2015087306
OR BK 4664 PG 129 - 132 (4 PGS)
DATE: 8/11/2015 12:01:41 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$35.50 DEED DOC \$0.70

RETURN

Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 2 day of May, 2015, by CARMEN PROPERTIES, LLC, whose address is 2166 NW 10th Street, Ocala, FL 34475, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

AS DESCRIBED ON EXHIBIT "A" ATTACHED

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

GRANTOR: CARMEN PROPERTIES, LLC

[Signature]
(Type or print name of Witness)

BY: [Signature]
CARMEN G. MURVIN, President

[Signature]
Gina W Sollars
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF Marion

BEFORE ME, the undersigned Notary Public, personally appeared Carmen G. Murvin, as President of Carmen Properties, LLC, who acknowledged before me that he executed this instrument on the 2nd day of May, 2015, and who was either ☒ personally known to me, or who ☐ produced _____ as identification.

[Signature]
NOTARY PUBLIC
Gina W Sollars
Type or print name of Notary

FF204681
Commission Number
April 26, 2019
Commission expiration date



GINA W. SOLLARS
MY COMMISSION # FF 204681
EXPIRES: April 26, 2019
Bonded Thru Budget Notary Services

JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 3944, Page 1934, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

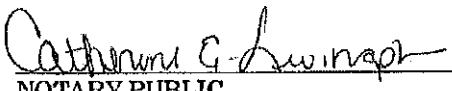
GATEWAY BANK OF CENTRAL FLORIDA

BY: 

BRIAN UZEM
Type or print name and position or title

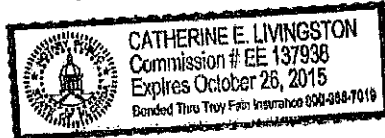
STATE OF Florida
COUNTY OF Marion

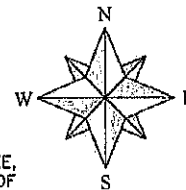
BEFORE ME, the undersigned Notary Public, personally appeared Brian Uzem
Vice President, the Gateway Bank of Central FL
of GATEWAY BANK OF CENTRAL FLORIDA, who acknowledged before me that (s)he executed this instrument on the 13 day of May, 2015, and who was either ☒ personally known to me, or who ☐ produced as identification.


NOTARY PUBLIC
Catherine E. Livingston
Type or print name of Notary

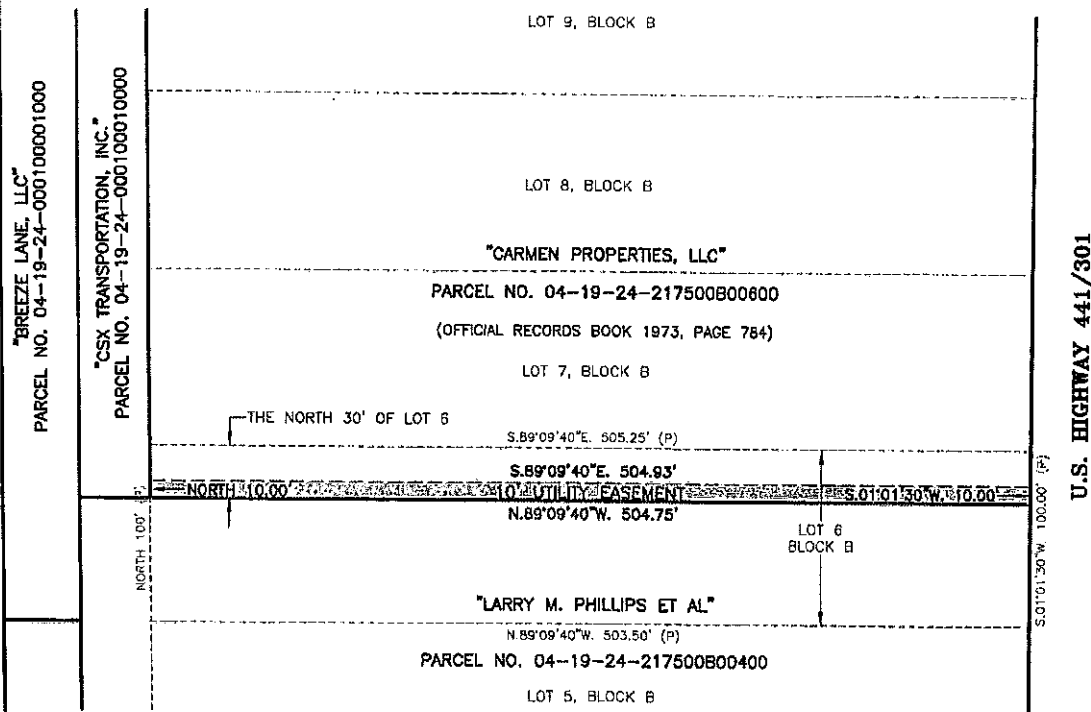
Commission Number _____

Commission expiration date _____





DESCRIPTION:
THE SOUTH 10.00 FEET OF THE NORTH 30.00 FEET OF LOT 6, BLOCK B, ZEPHYR LAKE,
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGE 78, PUBLIC RECORDS OF
LAKE COUNTY, FLORIDA.



NOTE: THIS IS NOT A SURVEY

SURVEYOR'S CERTIFICATION:
THIS SKETCH WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE ESTABLISHED IN CHAPTER 5J-17,
FLORIDA ADMINISTRATIVE CODE, FOR A SKETCH OF DESCRIPTION.



DATE _____

☐ DAVID C. DE BOUT, P.S.M. -- LS 5962



BELLWETHER PROFESSIONAL PARK
2201 S.E. 30TH AVENUE, SUITE 102
OCALA, FL 34471
PHONE: (352) 351-0091
FAX: (352) 351-0093 FAX
EMAIL: gjen@plninc.us

DATE OF SKETCH: APRIL 6, 2015

DRAWN:	G.H.P.	REVISIONS		BY	DATE
CHECKED:	G.H.P.				
FILE INFO: ZEPHYR LAKE					
SCALE: 1" = 80'		COPYRIGHT © 2015	JOB ORDER # 15-027		



Printed on: 5/5/2015

Engineer: zandy



AGENDA MEMORANDUM

Item No: 4.C.5.

Meeting Date: September 28, 2015

From: Patrick M. Foster, P.E., Electric Director

Subject: Apprenticeship Program for Substation Technicians (Apprentice Substation Technician).

Staff Recommendation:

Staff recommends creating an Apprentice Substation Technician program and approving the wage schedule. Staff also recommends approving the Cost of Living Adjustment (3%) be added to the Lineman Apprentice Wage Schedule to accommodate both Lineman Apprentice and Apprentice Substation Tech programs. The Cost of Living Adjustment is a one-time adjustment to the Apprentice scale that has not had an adjustment in many years. All personnel in the Apprentice programs will not receive annual COLA's but will advance in the pay grades as already specified in the program.

Analysis:

In addition to the other duties outlined in the job description, a Substation Technician is responsible for installing and maintaining relay and control equipment in electrical substations, which is responsible for generation, transmission, and distribution of electricity from a power plant to its final destinations.

The Electric Department has long utilized the Lake Sumter State College (LSSC) Apprentice Lineman Course to provide the coursework for that program and now LSSC has added a new Apprentice Substation Relay Technician course. Educational coursework for the new course will cover theory in three phase power, protective relaying, power transformers, high voltage breakers, and electrical utility print reading and miscellaneous substation systems.

With the creation of the Apprentice Substation Technician Program, the Electric Substation Technician I position will be eliminated and replaced with the Apprentice Substation Technician position. In addition, the Electric Substation Technician II position will be moved from the 134 Pay Grade to the L2 Pay Grade to match the Lineman Pay Grade.

An Apprentice Substation Relay Technician will be promoted to an Electric Substation Technician II upon successful completion of the course, the required on the job hours, and the approval of the Apprenticeship Committee.

The Electric Department has two employees who are qualified and eligible to enter the Apprenticeship Substation Technician program. There is also one employee who is already an Electric Substation Tech II who will enter the program to further his skills.

The Wage Schedule for the Apprentice Substation Technician will follow the already established Apprentice Lineman schedule. The wage scale shall be increased on a one-time basis to include the 3% FY16 COLA.

Current Apprentice Lineman Wage Schedule				
Does not include 2016 COLA 3% FY2015 Apprentice were given bonuses in lieu of COLA				
Periods			Rates	
1st	6 months		\$	17.81
2nd	6 months		\$	18.91
3rd	6 months		\$	19.82
4th	6 months		\$	20.69
5th	6 months		\$	21.55
6th	6 months		\$	22.45
7th	6 months		\$	23.31
8th	6 months		\$	24.18
Promoted to Lineman				30.12

Apprentice Lineman / Apprentice Substation Technician Wage Schedule				
Includes one-time basis 2016 COLA 3%				
Periods			Rates	
1st	6 months		\$	18.34
2nd	6 months		\$	19.48
3rd	6 months		\$	20.41
4th	6 months		\$	21.31
5th	6 months		\$	22.20
6th	6 months		\$	23.12
7th	6 months		\$	24.01
8th	6 months		\$	24.91
Promoted to Lineman or Substation Tech II				31.02

To keep pay scales consistent, pay scales for L1—L4 will also need to be adjusted. This adjustment will have no effect on anyone's wages that are in those pay scales at this time. It will make future promotions into those pay scales correctly proportional to the L2 Electric Lineman Pay Scale.

Pay Grade	Range Now	Proposed Range
L1—Electric Groundsman	11.97—18.45	11.97—19.00
L2—Electric Lineman	25.05—36.34	31.02—37.43
L3—Electric Service Tech	26.05—37.59	32.57—38.72
L4—Electric Line Crew Leader	34.01—39.02	34.20—40.19
134—Electric Substation Tech II	24.09—37.1 to L2	31.02—37.43

Options:

1. Approve the Apprentice Substation Technician Program, the Apprentice Lineman/Apprentice Substation Technician wage schedule, the Electric Substation Technician II pay grade from 401 to L2, and the new L1, L2, L3, and L4 pay grades; or,
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

For FY2016 there is an overall decrease of \$23,320.27 plus benefits reduction due to the net difference resulting from the replacement of a vacant Lineman position with a Groundsman position and the placement of 2 Electric Substation Tech II's into the Apprentice Substation Technician program.

Submission Date and Time: 9/23/2015 5:40 PM

Department: <u>Electric Department</u> Prepared by: <u>Sabrina Hubbell</u> Attachments: Yes___ No <u>X</u> Advertised: <u>Not Required</u> <u>X</u> Dates: _____ Attorney Review : Yes___ No <u>X</u> _____ Revised 6/10/04	Reviewed by: Dept. Head <u>Patrick M. Foster</u> _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, APPROVING AN APPRENTICESHIP
PROGRAM FOR SUBSTATION TECHNICIANS WITH
EDUCATIONAL TRAINING TO BE PROVIDED BY LAKE
SUMTER STATE COLLEGE, AND ON-THE-JOB TRAINING TO
BE PROVIDED BY THE CITY OF LEESBURG ELECTRIC
DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the City Commission of the City of Leesburg, Florida,
that:

The City of Leesburg, Florida, does hereby approve an Apprenticeship Program for Substation Technicians (Apprentice Substation Technician). The pay scale is to follow the Apprentice Lineman Program pay scale increased by the FY 16 3% COLA. Educational training is approved to be provided by Lake Sumter State College with the on-the-job training to be provided by the City of Leesburg Electric Department.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of September, 2015.

Mayor

ATTEST:

City Clerk



AGENDA MEMORANDUM

Item No: 4.C.6.

Meeting Date: September 28, 2015

From: DC Maudlin, Public Works Director

Subject: Resolution authorizing execution of an access agreement authorizing an FDEP contractor to enter city property for the purpose of installing, maintaining and removing monitoring and sampling wells.

Staff Recommendation:

Staff recommends execution of an agreement authorizing Southeastern Petroleum Contractors, Inc, an FDEP contractor, access to enter city owned property on South 12th Street for the purpose of installing, maintaining and removing approximately six monitoring and sampling wells.

Analysis:

The city owned property on South 12th Street (Alt key 3877773) is adjacent to the old Dixie Oil and Gas Company site (Alt key 3304802). The Dixie Oil and Gas Company site is in FDEP's Petroleum Restoration Program. Environmental work on the Dixie Oil site requires installation of approximately six monitoring and sampling wells on the City owned property.

The FDEP contractor, Southeastern Petroleum Contractors, Inc., is seeking permission to enter upon city property to install, maintain and, when no longer needed, remove approximately six wells. When the wells are removed the site will be restored to pre-existing conditions.

Options:

1. Authorize the Mayor to execute the entry agreement with Southeastern Petroleum Contractors, Inc. or
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

None.

Submission Date and Time: 9/23/2015 5:40 PM

Department: _____ Prepared by: _____ Attachments: Yes____ No____ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes____ No____ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE AN ACCESS AGREEMENT
AUTHORIZING AN FDEP CONTRACTOR TO ENTER CITY
PROPERTY FOR THE PURPOSE OF INSTALLING,
MAINTAINING AND REMOVING MONITORING AND
SAMPLING WELLS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute a Permission to
Enter Property Agreement with Southeaster Petroleum Contractors, Inc. whose address is
5262 SR 54, New Port Richey, Florida 34652.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a
regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk

Southeastern Petroleum Contractors, Inc.

Complete Storage Tank Removals & Installations

Rec'd
8-12-15

August 4, 2015

City of Leesburg
Property Owner of South 12th St.
P.O. Box 490630
Leesburg, Florida 34749-0630

Subject: Off-Site Access Agreement under FDEP's Petroleum Restoration Program (Central Region) for Dixie Oil & Gas Company, 1311 Railroad Avenue, Leesburg (Lake County), Florida 34748, FDEP Facility ID No. 358510074, Discharge Date: 03/29/1991 (ATRP), Purchase Order No. AC4262

Dear Property Owner:

I am with Southeastern Petroleum Contractors, Inc. (SPCI) and have been chosen by the Florida Department of Environmental Protection (FDEP) as the contractor to continue the environmental work at Dixie Oil and Gas Company (Dixie) in Leesburg, Florida under the new State PRP program. As part of that program, we must obtain an off-site access agreement with site owners to access site locations to perform our work tasks. The latest Lake County property appraiser information shows you as the present site owner at South 12th Street (Parcel No. 26-19-24-390003500003). Since installing soil borings, monitoring wells and sampling monitoring wells on your property (**monitoring wells & soil borings just SW of Dixie site**) at South 12 St. will be required as part of the investigation at the Dixie site, a property off-site access agreement will be needed.

I have enclosed the two-page property off-site access agreement for your signature. Please sign, print and date the agreement and have a witness do the same. If you can, please scan document and e-mail back to me and then I'll sign, print and date it and get the final document back to you and FDEP. E-mail would also allow SPCI to notify you properly of our future on-site activities. Also, you only need to scan and send back the first page of the agreement.

SPCI has also enclosed a google map, proposed locations (Figures 2 & 3), and the property record. If you have any questions or require additional information, please contact me at (813) 300-5617 or renrightSPCI@gmail.com.

Sincerely,

SOUTHEASTERN PETROLEUM CONTRACTORS, INC.



Robert V. Enright, P.G.
Project Manager/Senior Hydrogeologist

Attachment

For Use by FL. DEPT. of ENVIRONMENTAL PROTECTION AGENCY
TERM CONTRACTORS when working as an ATC selected by FDEP

PERMISSION TO ENTER PROPERTY

1. The undersigned real property owner(s), **City of Leesburg** ("Undersigned"), hereby give(s) permission to the State of Florida, Department of Environmental Protection ("Department") and its designated contractors, including **Southeastern Petroleum Contractors, Inc. (SPCI)** to enter the undersigned's property ("the property") located at **South 12th St., Leesburg, Florida 34748 (Parcel No. 26-19-24-390003500003) (for FDEP Facility ID No. 358510074).**
2. This permission is specifically limited to the following activities which may be performed by the Department, its agents or contractors: installing groundwater monitoring wells, recovery wells, piping, etc. (hereby collectively referred to as monitoring wells) below the ground surface in locations agreeable to the Undersigned and collecting groundwater samples from the wells and make soil borings in locations agreeable to the Undersigned and taking soil samples from borings, including any future assessment or remediation activities. Consultant shall cause the proper abandonment of the monitoring wells and restore the Property to the condition existing immediately prior to the commencement of activities, which shall be at no cost to the Undersigned. **The soil borings/monitoring wells are proposed to be installed/sampled just southwest of Dixie Oil & Gas Company property located at 1311 Railroad Ave.; access to locations will be from Dixie property if possible.**
3. The granting of this permission by the Undersigned is not intended, nor should it be construed, as an admission of liability on the part of the undersigned or the Undersigned's successors and assigns for any contamination discovered on the property.
4. The Department, its agents or contractors may enter the property during normal business hours and may also make arrangements to enter the property at other times after agreement from the undersigned.
5. The Undersigned shall not be liable for any injury, damage or loss on the property suffered by the Department, its agents or employees not caused by the negligence or intentional acts of the Undersigned's agents or employees.
6. The Department acknowledges and accepts its responsibility under applicable law (Section 768.28, Florida Statutes) for damages caused by the acts of its employees while on the property.

Signature of each Undersigned (Property Owner)

Signature of Witness

Print Name

Date

Print Name

Date

For Use by FL. DEPT. of ENVIRONMENTAL PROTECTION AGENCY
TERM CONTRACTORS when working as an ATC selected by FDEP

Accepted by the State of Florida Department of Environmental Protection by the following
authorized FDEP Agency Term Contractor:

Signature of Agency Term Contractor

Signature of Witness

Robert V. Enright

Print Name

Date

Print Name

Date

5/8/2015

1311 Railroad Ave
Leesburg, FL 34748
28.810140, -81.084630

~~1303 W Main St - Google Maps~~

W Main St

W Main St

W Main St

W Main St

W Main St

Florida Gun Works

1303 W Main St

Aluminum Contractors

Stevens Automotive

Everything 4 Kids

Millennium 1 teststers

Beyers Funk
Home & Qre

S 12th St

S 12th St

S 12th St

S 12th St

S 12th St

Oak Ave

Complete Radiator
& Air Conditioning

NAPA Auto Parts
Parts Professional

W Magnol

Lees
More

Depot Ln

Lees

Christian
Missionary Alliance

Bonaire Dr

Google

Map data ©2015 Google 50 ft

EXHIBIT 1 - Lake County Tax Parcel Map



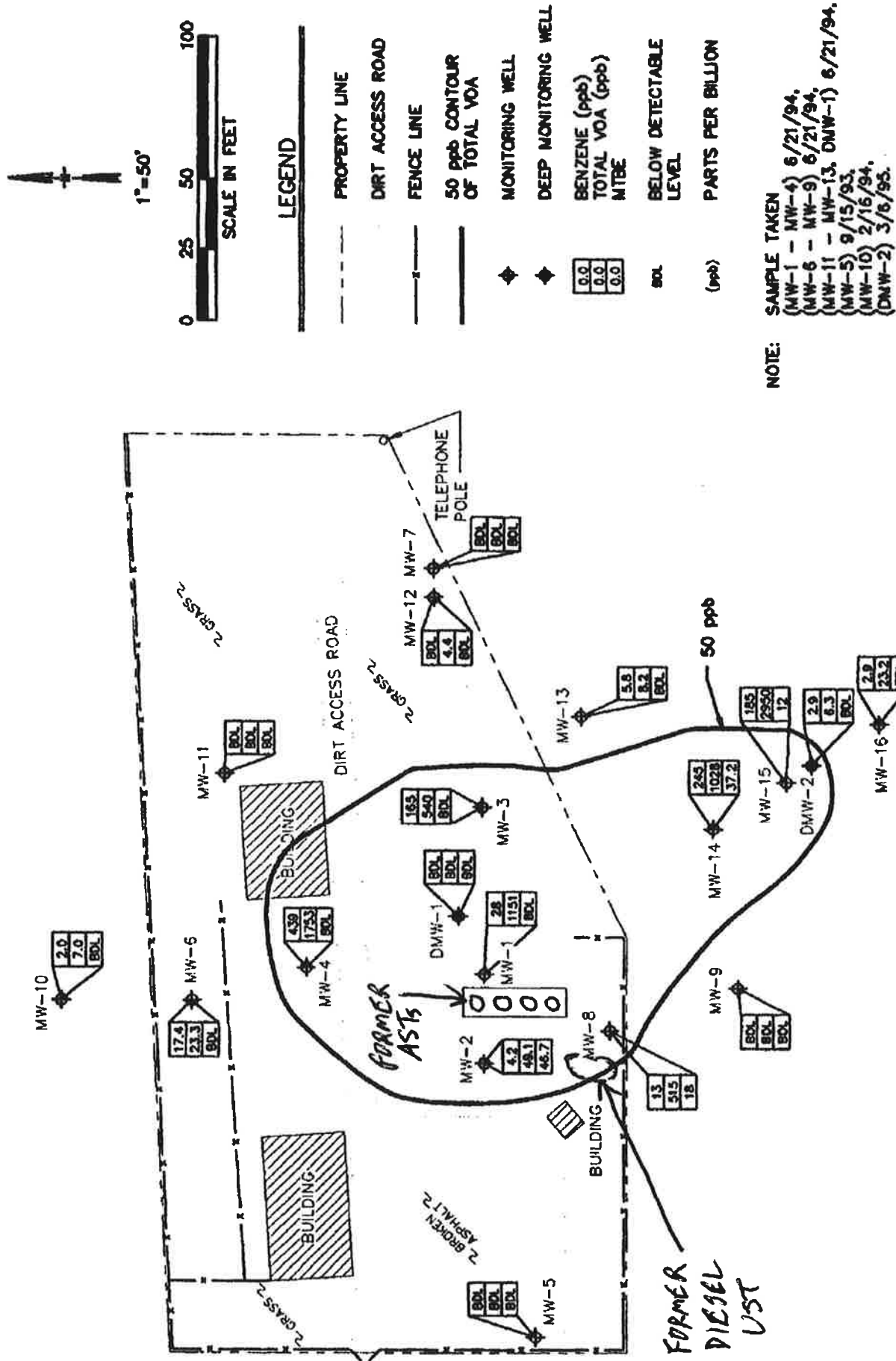
0 70 140 Feet

FIGURE 2

Copyright 2014 Lake County Board of County Commissioners

- Proposed soil boring locations
- Step-out soil borings (illustrative; final locations to be determined based on OVA screening results and must be approved by DEP Site Manager)

SPI - FIGURE 3



DO067022

DRAWN BY: TCW, RC

CHECKED BY: *[Signature]*

DATE: 3-14-95

PROJECT NO.: 05880-067-01-74

JEA

PROPERTY RECORD CARD

General Information

Owner Name:	CITY OF LEESBURG	Alternate Key:	3877773
Mailing Address:	PO BOX 490630 LEESBURG, FL 34749-0630 Update Mailing Address	Parcel Number:	26-19-24- 390003500003
		Millage Group and City:	00L1 (Leesburg)
		Total Millage Rate:	19.14420
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	SOUTH 12TH ST LEESBURG FL 34748 Update Property Location	Property Name:	Submit Property Name
		School Locator:	School and Bus Map
Property Description:	<p>LEESBURG FROM NE COR OF LOT 1 BLK 20 RUN W 10 FT TO THE INTERSECTION OF THE W R/W LINE OF 12TH ST AS NOW EXIST & S R/W LINE OF MAIN ST, S'LY ALONG SAID W'LY R/W LINE OF 12TH ST A DIST OF 438.37 FT, S 35-23-33 W ALONG SAID W'LY R/W LINE 80.05 FT, S 34-31-20 W 20.43 FT FOR POB, CONT S 34-31-20 W 36.10 FT TO N'LY LINE OF BONAIRE HEIGHTS SUB, W'LY ALONG N'LY LINE OF BLK A OF SAID BONAIRE HEIGHTS SUB, SAID LINE HAVING A RADIUS OF 788.50 FT, THRU A CENTRAL ANGLE OF 44-19-28, AN ARC DIST OF 609.99 FT, A CHORD BEARING & DIST OF S 78-21-32 W 594.89 FT, THENCE N 62-42-21 W 59 FT TO A POINT THAT IS 30 FT, WHEN MEASURED AT RIGHT ANGLES THERETO THE EXISTING CENTERLINE OF RR & PT A, RETURN TO POB, RUN N 79-28-50 W 383.78 FT, N 47-17-37 W 93.74 FT, S 64-01-56 W 65.34 FT, N 70-55-59 W 65.16 FT TO A POINT THAT IS 30 FT WHEN MEASURED AT RIGHT ANGLES THERETO THE EXISTING CENTERLINE OF SCL RR, THENCE S'LY PARALLEL WITH 30 FT FROM SAID CENTERLINE OF SCL RR RW TO PT A, BEING PART OF BLK 35 PB 2 PG 19 ORB 4108 PG 1432 ORB 4124 PG 1682 </p>		

SW

 MW-9
 13
 14
 15
 16
 DMW-2

sample wells

 +
 soil borings
 to 25'

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
------	----------	----------	-------	-------	-----------	------	-------	-------	------------



AGENDA MEMORANDUM

Item No: 4.C.7.

Meeting Date: September 28, 2015

From: Brandy McDaniel, Budget Manager

Subject: Resolution approving special transfers from the Gas Utility in the amount of \$978,450 for debt service associated with the Kristen Court Property and to the Capital Projects Fund in the amount of \$363,778 for Various Capital projects for a total of \$1,342,228 to be transferred in FY 2015-16

Staff Recommendation:

Staff recommends approval of a special transfer from the Gas Utility in the amount of \$978,450 for debt service associated with the Kristen Court Property and to the Capital Projects Fund in the amount of \$363,778 for the Venetian Gardens Phase I project for a total of \$1,342,228 to be transferred in FY 2015-16.

Analysis:

On October 9, 2006, the City Commission passed a resolution authorizing the issuance of a Bond Anticipation Note (BAN) in the amount of \$4,000,000 to facilitate the purchase of the Kristen Court Apartments, a high crime and blighted area. In December of 2009, the BAN was refinanced in the amount of \$4,500,000 with a Capital Improvement Promissory Note.

Issue	Fiscal Year	Principal	Interest	Total
Magnolia Townhomes Capital Improvement Promissory Note, Series 2009 Original Issue Amount: \$4,500,000 Original Issue Date: November 3, 2009 Final Maturity: November 3, 2016 Interest Rate: 3.40%	2010	0	75,650	75,650
	2011	0	153,000	153,000
	2012	0	153,000	153,000
	2013	840,000	138,720	978,720
	2014	870,000	109,650	979,650
	2015	900,000	79,560	979,560
	2016	930,000	48,450	978,450
	2017	960,000	16,320	976,320
	TOTAL	4,500,000	774,350	5,274,350

The proposed budget for fiscal year 2015-16 has been prepared to have the Gas Utility cover the debt service (principal and interest) associated with this note.

Additionally, the FY 15-16 budget includes the following projects to be funded with Gas Utility Surplus Funds:

Mote Morris Re-roof	\$ 40,000
Sleepy Hollow Playground resurfacing	\$ 3,778
Veteran's Memorial Park Playground Replacement	\$ 20,000
Kids Korner Playground	<u>\$300,000</u>
Total Funding needed from Gas Utility	\$363,778

In order to make these transfers, the City must adhere to Ordinance 07-80, Section 2-230. That section allows surplus transfer provided that cash exceeds 115% of the minimum acceptable level of cash reserve. Utilization of Surplus Cash can be approved for any one of the following; (1) elimination of shortfalls in related funds; (2) reduction or avoidance of debt; (3) funding of a renewal and replacement program; (4) one time capital needs; and (5) for use in funding tax, fee or rate stabilization. In addition to the Surplus Cash test, Ordinance 07-82 provides for a five year pro forma cash flow projection to determine the financial impact if any on the fund from which the transfer is drawn (attached). The following test reflects the amount of Surplus Cash available as of September 30, 2015:

Minimum Cash Reserve Requirement	\$1,288,711
Add 15% Reserve	<u>193,307</u>
Minimum Level of Acceptable Cash Reserve	\$1,482,018
Unaudited Cash Balance as of September 2015	<u>4,549,115</u>
Surplus Cash	\$3,067,097

The calculation as prescribed by ordinance reflects adequate surplus cash to allow for the special transfer.

Options:

1. Approve the special transfers in FY 2015-16 from the Gas Utility to the Debt Service Fund in the amount of \$978,450 for debt service associated with the Kristen Court property and to the Capital Projects Fund in the amount of \$363,778 for various Capital Projects; or
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

The impact on Surplus Cash of the Gas Utility will be decreasing the Surplus cash from \$3,067,097 to \$1,724,869. Staff anticipates the next proposed budget 2017 will include this same strategy for the debt service associated with the Kristen Court property, but a special transfer resolution is necessary each year.

Submission Date and Time: 9/23/2015 5:40 PM

Department: _____ Prepared by: _____ Attachments: Yes _____ No _____ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes _____ No _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. BLM, _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>042-2088-581-9121 &</u> <u>042-2088-581-9131</u> Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, APPROVING SPECIAL TRANSFERS IN FY 15-16 FROM THE GAS UTILITY TO THE DEBT SERVICE FUND OF \$978,450 FOR DEBT SERVICE ASSOCIATED WITH THE KRISTEN COURT PROPERTY AND TO THE CAPITAL PROJECTS FUND OF \$363,778 FOR VARIOUS CAPITAL PROJECTS, FOR A TOTAL OF \$1,342,228; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the City Commission hereby authorizes the Special Transfers in FY 15-16 of \$978,450 from the Gas Utility to the Debt Service Fund for debt service associated with the Kristen Court Property and to the Capital Projects Fund of \$363,778 for various Capital projects, for a total of \$1,342,228.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk

PROJECT SCHEDULE

2015-16

Capital Projects Fund

Project

WF/ Job Title

Funding Source

Amount

310051 Public Works

Road Resurfacing	Gas Tax	500,000
Landscape Medians (Hwy 27 by High School)	Transfer from Discretionary Sales Tax	100,000
Mote Morris Re-roof	Transfer from Gas Fund	40,000
Restroom Facility (Ski Beach)	Transfer from Discretionary Sales Tax	100,000
Susan St. Restroom & Storage Bldg. \$350,000	Transfer from Discretionary Sales Tax	150,000
	Recreation Impact Fees	200,000
Sleepy Hollow Irrigation/Improvements	Transfer from Discretionary Sales Tax	60,000
John L. Johnson Park Improvements	Transfer from Discretionary Sales Tax	30,000
Shelter Replacements (Ski Beach)	Transfer from Discretionary Sales Tax	60,000
Sleepy Hollow Playground Resurfacing \$20,000	Transfer from Discretionary Sales Tax	16,222
	Transfer from Gas Fund	3,778
Veteran's Memorial Park Playground Replacement	Transfer from Gas Fund	20,000
Kids Korner Playground \$300,000	Transfer from Gas Fund	300,000
Berry Park Restroom	Transfer from Discretionary Sales Tax	100,000
Venetian Gardens Master Plan \$150,000	Transfer from Discretionary Sales Tax	43,258
	Transfer from General Fund	106,742
City Hall Elevator Renovations \$80,000	Transfer from General Fund	76,223
	Transfer from Solid Waste Fund	3,777
Hwy 441 Entry Sign (East)	Transfer from Solid Waste Fund	30,000
Hwy 441/27 Entry Sign (North)	Transfer from Solid Waste Fund	250,000
Herlong Park Train Renovations	Transfer from Solid Waste Fund	30,000
ADA Compliance	Transfer from Solid Waste Fund	50,000

Subtotal Public Works

2,270,000

310081 Recreation

Rails to Trails	Transfer from Discretionary Sales Tax	25,000
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Subtotal Recreation

25,000

TOTAL

2,295,000

Source of Funds

Transfer from General Fund	182,965
Transfer from Gas Fund	363,778
Transfer from Solid Waste Fund	363,777
Gas Tax	500,000
Transfer from Discretionary Sales Tax	684,480
Recreation Impact Fees	200,000

TOTAL

2,295,000

City of Leesburg Gas Fund
Five Year Cash Flow Pro Forma

	2016 Draft Budget	2017 Projected	2018 Projected	2019 Projected	2020 Projected	Cummulative Total
Revenue						
Charges For Services	\$ 7,132,715	\$ 7,328,865	\$ 7,548,731	\$ 7,784,628	\$ 8,037,629	\$ 37,832,568
Other Operating Revenue	35,000	35,963	37,041	38,199	39,440	185,643
Total Operating Revenues	<u>7,167,715</u>	<u>7,364,827</u>	<u>7,585,772</u>	<u>7,822,827</u>	<u>8,077,069</u>	<u>38,018,211</u>
Expenses						
Gas Purchases	2,383,331	2,448,873	2,522,339	2,601,162	2,685,700	12,641,404
Administration	553,940	569,173	586,249	604,569	624,217	2,938,148
Distribution	942,829	968,757	997,820	1,029,001	1,062,444	5,000,851
Other Operating Expenses	1,632,746	1,666,820	1,695,255	1,719,513	1,739,366	8,453,700
Total Operating Expenses	<u>5,512,846</u>	<u>5,653,623</u>	<u>5,801,662</u>	<u>5,954,245</u>	<u>6,111,727</u>	<u>29,034,103</u>
Income Before Operating Transfers	<u>1,654,869</u>	<u>1,711,205</u>	<u>1,784,110</u>	<u>1,868,582</u>	<u>1,965,342</u>	<u>8,984,108</u>
Interfund Transfers						
Transfers to Other Funds						
General Fund	739,193	759,521	782,306	806,754	832,973	3,920,747
Surcharges to General Fund	131,975	135,604	139,672	144,037	148,718	700,007
Capital Projects	363,778	373,782	384,995	397,026	409,930	1,929,512
Debt Service	-	-	-	-	-	-
Total Transfers	<u>(1,234,946)</u>	<u>(1,268,907)</u>	<u>(1,306,974)</u>	<u>(1,347,817)</u>	<u>(1,391,621)</u>	<u>(6,550,266)</u>
Net Income After Transfers	<u>419,923</u>	<u>442,298</u>	<u>477,136</u>	<u>520,765</u>	<u>573,721</u>	<u>2,433,842</u>
Other Sources (Uses)						
Cust/Dev Contributions	224,748	575,500	596,775	616,000	634,900	2,647,923
Appropriated Retained Earnings	1,018,950	156,245	201,400	164,400	182,300	1,723,295
Capital Projects	(329,725)	(731,745)	(798,175)	(780,400)	(817,200)	(3,457,245)
Net Other Sources	<u>913,973</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>913,973</u>
Incr (Decr) to Unappropriated Fund Balance	<u>\$ 1,333,896</u>	<u>\$ 442,298</u>	<u>\$ 477,136</u>	<u>\$ 520,765</u>	<u>\$ 573,721</u>	<u>\$ 3,347,815</u>
Annual Depr added back to Net Inc/(Loss)	382,000	392,505	404,280	416,914	430,464	2,026,163
Cash Flow Effect of Special Transfer						
FYE Est Un-restricted Pooled Cash Bal Before						
Special Transfer(s)	\$ 4,549,115	\$ 4,041,689	\$ 4,923,105	\$ 5,860,784	\$ 6,864,969	\$ 8,207,197
Special transfer to Capital Projects Fund	(363,778)	-	-	-	-	(363,778)
Special Transfer to Debt Service Fund	(978,450)	-	-	-	-	(978,450)
FYE Est Un-restricted Pooled Cash Balance After						
Special Transfer(s)	<u>\$ 3,206,887</u>	<u>\$ 4,041,689</u>	<u>\$ 4,923,105</u>	<u>\$ 5,860,784</u>	<u>\$ 6,864,969</u>	<u>\$ 6,864,969</u>

Pro Forma Assumptions:

10/01/2015 Cash balance is a calculated estimated.

Years two -five cash balance equals prior year balance plus total Income(Loss) for the year excluding depreciation values.

Capital Projects and associated funding sources were taken from the 2014-2020 Capital Improvement Plan (CIP).

Debt Service costs were taken from City-generated debt service schedules (DSS)



AGENDA MEMORANDUM

Item No: 4.C.8.

Meeting Date: September 28, 2015

From: Brandy McDaniel, Budget Manager

Subject: Resolution approving a special transfer in FY 15-16 from the Solid Waste Utility to the Capital Projects Fund in the amount of \$363,777 for various Capital Projects

Staff Recommendation:

Staff recommends approval of a special transfer in FY 15-16 from the Solid Waste Utility to the Capital Projects Fund in the amount of \$363,777 for various Capital Projects.

Analysis:

The FY 15-16 budget includes the following projects to be funded with Solid Waste Utility Surplus Funds:

City Hall Elevator Renovations	\$ 3,777
Hwy 441 Entry Sign (East)	30,000
Hwy 441/27 Entry Sign (North)	250,000
Herlong Park Train Renovations	30,000
ADA Compliance	<u>50,000</u>
Total funding needed from Solid Waste Utility	\$363,777

In making this transfer, the City must adhere to the cash policies adopted in Ordinance 07-80, Section 2-230. This section provides for utilization of surplus cash when cash exceeds 115% of the minimum acceptable level of cash reserve. Utilization of Surplus Cash can be approved for any one of the following; (1) elimination of shortfalls in related funds; (2) reduction or avoidance of debt (3) funding of a renewal and replacement program; (4) one time capital needs; and, (5) for use in funding tax, fee or rate stabilization. In addition to the Surplus Cash test, Ordinance 07-82 provides for a five year pro forma cash flow projection to determine the financial impact if any on the fund from which the transfer is drawn (attached). The following test reflects the amount of Surplus Cash available as of September 30, 2015:

Minimum Cash Reserve Requirement	\$ 967,095
Add 15% Reserve	<u>145,064</u>
Minimum Level of Acceptable Cash Reserve	\$1,112,159
Unaudited Cash Balance as of September 2015	<u>1,600,000</u>
Surplus Cash	\$ 487,841

The calculation as prescribed by ordinance reflects adequate surplus cash to allow for the special transfer.

Options:

1. Approve the special transfer in FY 15-16 from the Solid Waste Utility to the Capital Projects Fund in the amount of \$363,777 for various Capital Projects.
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

The impact on Surplus Cash of the Solid Waste Utility is decreasing surplus cash from \$487,841 to \$124,064. Additionally, the FY 15-16 includes a budgeted reserve amount of \$721,775.

Submission Date and Time: 9/23/2015 5:40 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No ___ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes___ No ___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. <u>BLM</u> , _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. <u>046-6088-581-9131</u> Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, APPROVING A SPECIAL TRANSFER IN
FY 15-16 FROM THE SOLID WASTE UTILITY TO THE CAPITAL
PROJECTS FUND OF \$363,777 FOR VARIOUS CAPITAL
PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:

THAT the City Commission hereby authorize a Special Transfer of \$363,777 from
the Solid Waste Utility to the Capital Projects Fund for various Capital Projects.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a
regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk

PROJECT SCHEDULE

2015-16

Capital Projects Fund

Project

WF/ Job Title

Funding Source

Amount

310051 Public Works

Road Resurfacing	Gas Tax	500,000
Landscape Medians (Hwy 27 by High School)	Transfer from Discretionary Sales Tax	100,000
Mote Morris Re-roof	Transfer from Gas Fund	40,000
Restroom Facility (Ski Beach)	Transfer from Discretionary Sales Tax	100,000
Susan St. Restroom & Storage Bldg. \$350,000	Transfer from Discretionary Sales Tax	150,000
	Recreation Impact Fees	200,000
Sleepy Hollow Irrigation/Improvements	Transfer from Discretionary Sales Tax	60,000
John L. Johnson Park Improvements	Transfer from Discretionary Sales Tax	30,000
Shelter Replacements (Ski Beach)	Transfer from Discretionary Sales Tax	60,000
Sleepy Hollow Playground Resurfacing \$20,000	Transfer from Discretionary Sales Tax	16,222
	Transfer from Gas Fund	3,778
Veteran's Memorial Park Playground Replacement	Transfer from Gas Fund	20,000
Kids Korner Playground \$300,000	Transfer from Gas Fund	300,000
Berry Park Restroom	Transfer from Discretionary Sales Tax	100,000
Venetian Gardens Master Plan \$150,000	Transfer from Discretionary Sales Tax	43,258
	Transfer from General Fund	106,742
City Hall Elevator Renovations \$80,000	Transfer from General Fund	76,223
	Transfer from Solid Waste Fund	3,777
Hwy 441 Entry Sign (East)	Transfer from Solid Waste Fund	30,000
Hwy 441/27 Entry Sign (North)	Transfer from Solid Waste Fund	250,000
Herlong Park Train Renovations	Transfer from Solid Waste Fund	30,000
ADA Compliance	Transfer from Solid Waste Fund	50,000

Subtotal Public Works

2,270,000

310081 Recreation

Rails to Trails	Transfer from Discretionary Sales Tax	25,000
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Subtotal Recreation

25,000

TOTAL

2,295,000

Source of Funds

Transfer from General Fund	182,965
Transfer from Gas Fund	363,778
Transfer from Solid Waste Fund	363,777
Gas Tax	500,000
Transfer from Discretionary Sales Tax	684,480
Recreation Impact Fees	200,000

TOTAL

2,295,000

City of Leesburg Solid Waste Fund
Five Year Cash Flow Pro Forma

	2016 Draft Budget	2017 Projected	2018 Projected	2019 Projected	2020 Projected	Cummulative Total
Revenue						
Charges For Services	\$ 3,686,428	\$ 3,787,805	\$ 3,901,439	\$ 4,023,359	\$ 4,154,118	\$ 19,553,149
Other Operating Revenue	34,432	35,379	36,440	37,579	38,800	182,630
Total Operating Revenues	<u>3,720,860</u>	<u>3,823,184</u>	<u>3,937,879</u>	<u>4,060,938</u>	<u>4,192,918</u>	<u>19,735,779</u>
Expenses						
Long-Term Care	89,213	91,666	94,416	97,367	100,531	473,194
Residential	1,250,465	1,284,853	1,323,398	1,364,755	1,409,109	6,632,580
Commercial	1,160,405	1,192,316	1,228,086	1,266,463	1,307,623	6,154,893
Other Operating Expenses	328,872	253,437	195,780	151,424	117,259	1,046,771
Total Operating Expenses	<u>2,828,955</u>	<u>2,822,272</u>	<u>2,841,680</u>	<u>2,880,008</u>	<u>2,934,522</u>	<u>14,307,438</u>
Net Income From Operations	<u>891,905</u>	<u>1,000,911</u>	<u>1,096,199</u>	<u>1,180,930</u>	<u>1,258,396</u>	<u>5,428,341</u>
Nonoperating Revenue (Expense)						
Other Nonoperating Income	6,147	6,316	6,506	6,709	6,927	32,604
Total Nonoperating Rev (Exp)	<u>6,147</u>	<u>6,316</u>	<u>6,506</u>	<u>6,709</u>	<u>6,927</u>	<u>32,604</u>
Income Before Operating Transfers	<u>898,052</u>	<u>1,007,227</u>	<u>1,102,704</u>	<u>1,187,638</u>	<u>1,265,323</u>	<u>5,460,945</u>
Interfund Transfers						
Transfers to Other Funds						
General Fund	361,848	371,799	382,953	394,920	407,755	1,919,275
Capital Projects Fund	-	-	-	-	-	-
Total Transfers	<u>(361,848)</u>	<u>(371,799)</u>	<u>(382,953)</u>	<u>(394,920)</u>	<u>(407,755)</u>	<u>(1,919,275)</u>
Net Income After Transfers	<u>536,204</u>	<u>635,429</u>	<u>719,751</u>	<u>792,718</u>	<u>857,568</u>	<u>3,541,670</u>
Incr (Decr) to Unappropriated Fund Balance	<u>\$ 536,204</u>	<u>\$ 635,429</u>	<u>\$ 719,751</u>	<u>\$ 792,718</u>	<u>\$ 857,568</u>	<u>\$ 3,541,670</u>
Annual Depr added back to Net Inc/(Loss)	22,000	22,605	23,283	24,011	24,791	116,690
Cash Flow Effect of Special Transfer						
FYE Est Un-restricted Pooled Cash Bal Before						
Special Transfer(s)	\$ 1,600,000	\$ 1,894,257	\$ 2,637,291	\$ 3,454,020	\$ 4,336,379	\$ 4,700,156
Special transfer to Capital Projects Fund	(363,777)	-	-	-	-	(363,777)
FYE Est Un-restricted Pooled Cash Balance After						
Special Transfer(s)	<u>\$ 1,236,223</u>	<u>\$ 1,894,257</u>	<u>\$ 2,637,291</u>	<u>\$ 3,454,020</u>	<u>\$ 4,336,379</u>	<u>\$ 4,336,379</u>

Pro Forma Assumptions:

10/01/2015 Cash balance is a calculated estimated.

Years two -five cash balance equals prior year balance plus total Income(Loss) for the year excluding depreciation values.

Capital Projects and associated funding sources were taken from the 2014-2020 Capital Improvement Plan (CIP).

Debt Service costs were taken from City-generated debt service schedules (DSS)



AGENDA MEMORANDUM

Item No: 4.C.9.
Meeting Date: September 28, 2015
From: J. Andi Purvis, City Clerk
Subject: Re-Appointment of Alfred Haliday, Jr to the General Employee's Pension Board

Staff Recommendation:

Staff recommends re-appointment of Alfred Haliday, Jr. to the Board of Trustees, General Employee's Pension Plan.

Analysis:

The General Employee's Pension Board consists of seven trustees, one of whom shall be a resident of the City who is appointed by the City Commission. Each trustee serves a three-year term.

Mr. Alfred Haliday, Jr. has served on the Board of Trustees since August, 2003 and his current term expired August 31, 2015. An advertisement was placed in the Daily Commercial on August 1, 2015 seeking additional individuals who may be interested in serving in this capacity. To date, there has been no response to the advertisement.

Mr. Alfred Haliday, Jr. has expressed a desire to continue to serve on this Board.

Options:

1. Re-appoint Alfred Haliday, Jr. to the General Employee's Pension Board of Trustees; or
2. Such alternative action as the Commission may deem appropriate

Fiscal Impact:

None

Submission Date and Time: 9/23/2015 5:40 PM

Department: _____ Prepared by: _____ Attachments: Yes___ No___ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes___ No___ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE RE-
APPOINTMENT OF ALFRED HALIDAY, JR TO THE BOARD OF
TRUSTEES, FOR THE GENERAL EMPLOYEE'S PENSION
PLAN FOR A THREE YEAR TERM EXPIRING AUGUST 31, 2018;
AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA:

THAT the City Commission hereby re-appoints Alfred Haliday, Jr. to the BOARD
OF TRUSTEES, for the GENERAL EMPLOYEE'S PENSION PLAN for a three year
term expiring August 31, 2018.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a
regular meeting held the 28th day of September 2015.

Mayor

ATTEST:

City Clerk



AGENDA MEMORANDUM

Item No: 4.C.10.

Meeting Date: September 28, 2015

From: Al Minner, City Manager

Subject: Resolution authorizing an Agreement for fiscal year 2015-16 Civic Organization Funding with Leesburg Cemeteries, Inc

Staff Recommendation:

Staff recommends execution of the agreement with Leesburg Cemeteries for \$91,760.00 for fiscal year 2015-16 civic organization grant funding.

Analysis:

Historically Leesburg Cemeteries, Inc. has been included as part of the City of Leesburg overall civic grant funding application and approval process. At the direction of the City Commission, this funding is now specifically included in its own line in the budget. Leesburg Cemeteries, Inc. was granted funding in the amount of \$91,760.00 in FY 14/15. The same amount is recommended for FY 15/16. This funding is used to provide upkeep and maintenance at Lone Oak and Shady Oak cemeteries.

Options:

1. Approve the Civic Organization Funding Agreement with Leesburg Cemeteries, Inc.; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

A total of \$91,760 (\$84,160 plus utility credit of \$7,600) is included in the fiscal year 2015-16 budget for this purpose.

Submission Date and Time: 9/23/2015 5:40 PM

Department: <u>Administration</u> Prepared by: <u>Al Minner</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u> </u> Not Required <u>X</u> Dates: <u> </u> Attorney Review: Yes <u> </u> No <u> </u> Revised 6/10/04	Reviewed by: Dept. Head <u> </u> Finance Dept. <u> </u> Deputy C.M. <u> </u> Submitted by: City Manager <u> </u>	Account No. <u>042-2021-532-8215</u> Project No. <u> </u> WF No. <u> </u> Budget <u> </u> Available <u> </u>
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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE A CIVIC ORGANIZATION FUNDING
AGREEMENT WITH LEESBURG CEMETERIES, INC. DURING
FISCAL YEAR 2015-16; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, it is permissible for cities to make contributions to non-profit corporations where the contributions further a public purpose; and

WHEREAS, Leesburg Cemeteries, Inc. is seeking a contribution from the City of Leesburg to help provide a public service to City residents; and

WHEREAS, in the past there have been formal executed agreements between the City of Leesburg and agencies receiving such contributions; and

WHEREAS, the City of Leesburg desires to continue having such agreements with the various agencies which receive annual contributions;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF LEESBURG, FLORIDA:**

That the Mayor and City Clerk of the City of Leesburg are hereby authorized and directed to execute the Civic Organization Funding Agreement between the City of Leesburg and Leesburg Cemeteries, Inc. whose address is PO Box 490804 Leesburg, Florida 34749-0804 totaling ninety-one thousand seven hundred sixty dollars (\$91,760.00) during fiscal year 2015-16.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of September, 2015.

Mayor

ATTEST:

City Clerk

CIVIC ORGANIZATION FUNDING AGREEMENT

THIS AGREEMENT is entered into by and between the City of Leesburg, Florida (hereinafter referred to as "City"), and the Leesburg Cemeteries, Inc., a not for profit corporation (hereinafter referred to as "Agency").

WITNESSETH:

THAT, it is permissible for cities to make contributions to nonprofit corporations where the contributions further a public purpose. Agency is seeking a City contribution to help provide a public service to City residents and the City wishes to make such a contribution for the public purposes stated herein and in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the promises, mutual covenants, conditions and payments hereinafter contained, the parties agree as follows:

Section 1. City Obligations. City agrees to provide the Agency with a **\$91,760.00** funding contribution in fiscal year 2015/2016. The agency will receive quarterly installments of \$21,040.00. City also agrees to provide a maximum of \$7,600.00 to Agency as credit to utility bills for Customer ID Number 337195 and the following three (3) location ID Numbers 511490, 593310 and 429590 in the amounts of \$1,200.00, \$900.00 and \$5,500.00 respectively.

Section 2. Agency Obligations. Agency shall be responsible for providing the City with a quarterly financial statement (profit and loss), along with activity reports showing the uses for which the City's contribution was expended. The financial statement shall be mailed to: City Manager's Office, City of Leesburg, P.O. Box 490630, Leesburg, FL 34749-0630. No disbursements will be made until financial statements and activity reports are received.

Section 3. Use of Funds. Agency understands that Florida law prohibits the City from expending funds for other than bona fide public purposes. Agency agrees to use all funds received by it under this Agreement for the following bona fide public purpose(s): **Provide maintenance and upkeep of the Lone Oak and Shady Oak cemeteries.** To the extent Agency's financial reports do not document adequately that the funds were expended solely for this bona fide public purpose, Agency agrees to reimburse to the City all funds not documented as having been expended in accordance with this Agreement.

Section 4. Lapse. In the event the Agency does not spend the funding contribution from the City within the stated term of this Agreement for the purposes outlined in this Agreement, or in the event this Agreement is terminated prior to the one year term in accordance with Section 5 below, the Agency shall return all of the unspent funding contribution to the City on or before the end of the first business day following the termination of this Agreement.

Section 5. Duration of Agreement. This Agreement shall become effective upon the date executed by the last party and shall continue for a period of one (1) year, subject to availability of funds by the City. This Agreement may be terminated by either party with thirty (30) days written notice of its intent to terminate. Approval of this grant by the City does not obligate the City to approve funding for future fiscal years, and should not be relied on by Agency as evidence of any

expectation of future funding. Agency must apply for future funding during the budgetary cycle for the upcoming fiscal year, but is not assured of receiving funding.

Section 6. Modifications. No modifications, amendments or alterations of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith, and approved by the Leesburg City Commission at a public meeting where a quorum was present and the modification of this Agreement was on the agenda for discussion and action.

Section 7. Entire Agreement. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or undertakings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

THE CITY OF LEESBURG, FLORIDA

By: _____
Mayor

ATTEST:

City Clerk

Approved as to form and content:

City Attorney

Org name Leesburg Cemeteries, Inc.

By: _____

Printed Name: _____

Title: _____

Mailing Address: _____



AGENDA MEMORANDUM

Item No: 5A.

Meeting Date: September 28, 2015

From: Al Minner, City Manager

Subject: Street Light Rate Increase Proposal

Staff Recommendation:

Staff recommends adjustment of street light rates as outlined on the attached resolution.

Analysis:

Pursuant to the rate analysis conducted to consider overall electric rate reductions, it was determined that the Electric Fund was not recovering costs for the sale of street lights. Staff informed the Commission of this situation during discussion and informed the Commission of a proposed modification to come. The identified shortfall is approximately \$172,000. The average monthly increase for non-City accounts is approximately \$2.14. While this is a slight increase, now is an appropriate time to make the modification as the differential has the potential to be absorbed by the electric rate reduction approved at the September 14 meeting. Below is an analysis of the impacts the increase will have on non-City street light accounts:

Monthly - Non City	Existing	Proposed	Customers	Increase	Increase Per Customer
Fixtures	\$ 63,956.38	\$ 69,001.16	4,383	\$ 5,044.78	\$ 1.15
Poles	\$ 16,501.32	\$ 19,088.14	2,624	\$ 2,586.82	\$ 0.99
Total	\$ 80,457.70	\$ 88,089.30			\$ 2.14
Annual	\$ 965,492.40	\$ 1,057,071.60			\$ 25.64
	CURRENT RATE	PROPOSED RATE	PERCENT INCREASE		
	\$ 14.59	\$ 15.74			
	\$ 6.29	\$ 7.27			
	\$ 20.88	\$ 23.02	10.23%		

With regard to City operated street lights, the rate modification will be an impact of approximately \$81,000 annually to the General Fund. This cost can be absorbed in FY 16 by the budget surplus of approximately \$150,000.

Fiscal Impact:

1. The modification will provide an additional \$172,000 for the Electric Fund, while ending the operating loss.
2. The rate increase will impact the General Fund, however, the cost are recoverable with the budget surplus.

Submission Date and Time: 9/23/2015 5:40 PM

Department: _____ Prepared by: _____ Attachments: Yes____ No ____ Advertised:____Not Required ____ Dates: _____ Attorney Review : Yes____ No ____ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF LEESBURG, FLORIDA,
PERTAINING TO CERTAIN RATES AND
CHARGES FOR OUTDOOR LIGHTING SERVICES;
SETTING NEW RATES FOR RENTAL OF POLES
AND FIXTURES, FOR BOTH MUNICIPAL AND
PRIVATE CUSTOMERS; AND PROVIDING AN
EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA:**

SECTION I.

This Resolution modifies the rate schedules of the City of Leesburg for outdoor lighting, pursuant to the authority granted in §22 – 196 of the Leesburg Code of Ordinances.

SECTION II.

Effective October 1, 2015, the rates charged for outdoor lighting services, for municipal lighting and for rental of poles and fixtures for private customers, shall be adjusted to the rates reflected on Schedules 1, 2, 3, and 4, which are attached to this Resolution and incorporated into it by reference. These rates are subject to adjustment by the City Manager or his designee, as shown below:

The Energy Rate component of the lighting rates shown on Schedule 1 and Schedule 2 has been calculated based on the amount of power cost in base rates, which is \$0.065235 per kWh, effective October 1, 2015. This component of the lighting rates shall be updated by the Finance Department on an annual basis in connection with the automatic inflation adjustment, or as otherwise necessary due to a change in the amount of power cost included in base rates for purposes of calculating the bulk power cost adjustment (“BPCA”).

The BPCA Rate component of the lighting rates shown on Schedule 1 and Schedule 2 are calculated based on BPCA of \$0.014085 per kWh to take effect October 1, 2015. This component of the lighting rates shall be updated by the Finance Department effective with any changes in the BPCA.

SECTION III.

This Resolution shall take effect October 1, 2015, which is referred to herein as the “Effective Date.”

PASSED AND ADOPTED at the regular meeting of the City Commission held on the _____ day of _____, 2015.

THE CITY OF LEESBURG, FLORIDA

BY: _____
ELISE DENNISON, Mayor

Attest: _____
ANDI PURVIS, City Clerk

Schedule 1

CITY OF LEESBURG, FLORIDA
Fixture Cost, Energy Cost and BPCA - Municipal

Light Fixture Type	kWh	CS Flat Code	Energy Rate	CS Flat Code	BPCA Rate	CS Flat Code	Fixture Rate
1 50 Watt Flood	24	5E	1.53	5B	0.33	5F	10.04
2 100 Watt Cobra	47	10E	3.07	10B	0.66	10C	6.48
3 100 Watt Decorative Colonial	47	10E	3.07	10B	0.66	10D	6.40
4 100 Watt Acorn	47	10E	3.07	10B	0.66	10A	9.95
5 100 Watt Dusk - Dawn	47	10E	3.07	10B	0.66	10DD	5.84
6 100 Watt Flagler	47	10E	3.07	10B	0.66	10F	14.66
7 100 Watt Granville	47	10E	3.07	10B	0.66	10G	14.66
8 100 Watt Antique "L" Series	47	10E	3.07	10B	0.66	10L	12.92
9 100 Watt Monticello	47	10E	3.07	10B	0.66	10M	12.79
10 100 Watt Sanibel	47	10E	3.07	10B	0.66	10S	15.59
11 100 Watt Savannah	47	10E	3.07	10B	0.66	10SA	15.08
12 175 Watt Sanibel	52	175E	3.39	175B	0.73	175S	15.78
13 175 Watt Park Avenue	52	175E	3.39	175B	0.73	175P	15.78
14 250 Watt Cobra	104	25E	6.78	25B	1.46	25C	6.92
15 250 Watt Galleria	104	25E	6.78	25B	1.46	25G	15.15
16 250 Watt Renaissance	104	25E	6.78	25B	1.46	25R	18.31
17 250 Watt Shoebox	104	25E	6.78	25B	1.46	25S	18.31
18 400 Watt Cobra	169	40E	11.02	40B	2.38	40C	8.04
19 400 Watt Flood	169	40E	11.02	40B	2.38	40F	9.01
20 400 Watt Renaissance	169	40E	11.02	40B	2.38	40R	23.52
21 400 Watt Hatbox	169	40E	11.02	40B	2.38	40H	13.77
22 400 Watt Shoebox	169	40E	11.02	40B	2.38	40S	13.77
23 400 Watt Mongoose	169	40E	11.02	40B	2.38	40M	14.96
24 1000 Watt Flood	422	100E	27.53	100B	5.94	100F	11.54
25 1000 Watt Shoebox	422	100E	27.53	100B	5.94	100S	17.65
26 1500 Watt Flood	634	150E	41.36	150B	8.93	150F	13.48

Schedule 2

CITY OF LEESBURG, FLORIDA Fixture Cost, Energy Cost and BPCA - Rental

Light Fixture Type	kWh	CS Flat Code	Energy Rate	CS Flat Code	BPCA Rate	CS Flat Code	Fixture Rate
1 50 Watt Flood	24	5E	1.53	5B	0.33	5F	11.28
2 100 Watt Cobra	47	10E	3.07	10B	0.66	10C	7.17
3 100 Watt Decorative Colonial	47	10E	3.07	10B	0.66	10D	7.07
4 100 Watt Acorn	47	10E	3.07	10B	0.66	10A	11.15
5 100 Watt Dusk - Dawn	47	10E	3.07	10B	0.66	10DD	6.42
6 100 Watt Flagler	47	10E	3.07	10B	0.66	10F	16.57
7 100 Watt Granville	47	10E	3.07	10B	0.66	10G	16.57
8 100 Watt Antique "L" Series	47	10E	3.07	10B	0.66	10L	14.57
9 100 Watt Monticello	47	10E	3.07	10B	0.66	10M	14.42
10 100 Watt Sanibel	47	10E	3.07	10B	0.66	10S	17.64
11 100 Watt Savannah	47	10E	3.07	10B	0.66	10SA	17.06
12 175 Watt Sanibel	52	175E	3.39	175B	0.73	175S	17.82
13 175 Watt Park Avenue	52	175E	3.39	175B	0.73	175P	17.82
14 250 Watt Cobra	104	25E	6.78	25B	1.46	25C	7.66
15 250 Watt Galleria	104	25E	6.78	25B	1.46	25G	17.14
16 250 Watt Renaissance	104	25E	6.78	25B	1.46	25R	20.77
17 250 Watt Shoebox	104	25E	6.78	25B	1.46	25S	20.77
18 400 Watt Cobra	169	40E	11.02	40B	2.38	40C	8.91
19 400 Watt Flood	169	40E	11.02	40B	2.38	40F	10.03
20 400 Watt Renaissance	169	40E	11.02	40B	2.38	40R	26.73
21 400 Watt Hatbox	169	40E	11.02	40B	2.38	40H	15.51
22 400 Watt Shoebox	169	40E	11.02	40B	2.38	40S	15.51
23 400 Watt Mongoose	169	40E	11.02	40B	2.38	40M	16.88
24 1000 Watt Flood	422	100E	27.53	100B	5.94	100F	12.95
25 1000 Watt Shoebox	422	100E	27.53	100B	5.94	100S	19.98
26 1500 Watt Flood	634	150E	41.36	150B	8.93	150F	15.16

CITY OF LEESBURG, FLORIDA
Pole Rates - Municipal

Schedule 3

Line	Pole Description	CS Flat Code	Pole Rate
1	Wood 30' Class 4 / Class 6	W30	3.99
2	Wood 35' Class 4	W35	4.77
3	Wood 40' Class 4	W40	5.23
4	Concrete, 10', Decorative (Streetscap	CD10	22.84
5	Concrete 35' Type 2	C35	9.36
6	Concrete 40' Type 3	C40	11.28
7	Concrete, 16', Colonial	PC16	5.18
8	Concrete, 22', Colonial	PC22	8.14
9	Concrete, 16', Victorian	PV16	8.14
10	Concrete, 25', Promenade	PP25	8.14
11	Concrete, 30', Promenade	PP30	8.14
12	Concrete, 35', Promenade	PP35	14.93
13	Concrete, 41', Promenade	PC41	14.93
14	Concrete, 16', Washington	PW16	8.14
15	Aluminum, 20', Decorative	AL20	5.53
16	Aluminum 35', Dec. Valmont	AL35	20.33
17	Aluminum, 40', Decorative (Lumec Gr	AL40	24.76
18	Fiberglass, 12' (Mote Morris)	F12	18.78
19	Polysteel, 12' (Wash. Palmora Park)	P12	18.78
20	Fiberglass, 20', Smooth (Whatley)	F20	5.32
21	Fiberglass, 20', Smooth w/ Base (Wha	F20B	9.61
22	Concrete, 12' Decorative Talisman	CD12	19.55
23	Concrete, 15', Decorative	CD15	11.34
24	Concrete, 20', Decorative	CD20	11.95
25	Concrete, 30', Decorative	CD30	14.93
26	Aluminum, 12', Decorative Savannah	AL12	23.81
27	Aluminum, 12', Washington Style	AW12	18.78
28	Aluminum, 30', Decorative	AL30	10.93

CITY OF LEESBURG, FLORIDA
Pole Rates - Rental

Schedule 4

Line	Pole Description	CS Flat Code	Pole Rate
1	Wood 30' Class 4 / Class 6	W30	4.68
2	Wood 35' Class 4	W35	5.60
3	Wood 40' Class 4	W40	6.13
4	Concrete, 10', Decorative (Streetscap	CD10	26.78
5	Concrete 35' Type 2	C35	10.98
6	Concrete 40' Type 3	C40	13.23
7	Concrete, 16', Colonial	PC16	6.08
8	Concrete, 22', Colonial	PC22	9.55
9	Concrete, 16', Victorian	PV16	9.55
10	Concrete, 25', Promenade	PP25	9.55
11	Concrete, 30', Promenade	PP30	9.55
12	Concrete, 35', Promenade	PP35	17.50
13	Concrete, 41', Promenade	PC41	17.50
14	Concrete, 16', Washington	PW16	9.55
15	Aluminum, 20', Decorative	AL20	6.48
16	Aluminum 35', Dec. Valmont	AL35	23.84
17	Aluminum, 40', Decorative (Lumec Gr	AL40	29.03
18	Fiberglass, 12' (Mote Morris)	F12	22.02
19	Polysteel, 12' (Wash. Palmora Park)	P12	22.02
20	Fiberglass, 20', Smooth (Whatley)	F20	6.24
21	Fiberglass, 20', Smooth w/ Base (Wha	F20B	11.27
22	Concrere, 12' Decorative Talisman	CD12	22.92
23	Concrete, 15', Decorative	CD15	13.30
24	Concrete, 20', Decorative	CD20	14.01
25	Concrete, 30', Decorative	CD30	17.50
26	Aluminum, 12', Decorative Savannah	AL12	27.91
27	Alumninum, 12', Washington Style	AW12	22.02
28	Aluminum, 30', Decorative	AL30	12.82



AGENDA MEMORANDUM

Item No: 5B.
Meeting Date: September 28, 2015
From: Robert W. Hicks, Chief of Police
Subject: Ordinance amending the City of Leesburg Municipal Police Officers' Pension Trust Fund.

Staff Recommendation:

Staff recommends approval of the ordinance amending the City of Leesburg Municipal Police Officers' Pension Trust Fund amending Chapter 17, Sections 1, 2, 3, 4, 5, and 6.

Analysis:

An ordinance of the City of Leesburg amends Chapter 17, Pensions and Retirement, Article IV, Police Officers' Retirement Fund, of the Code of Ordinances of the City of Leesburg; amending Section 6, Benefit Amounts and Eligibility; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.

Options:

1. Approve the ordinance amending the City of Leesburg Municipal Police Officers' Pension Trust Fund; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No Fiscal Impact

Submission Date and Time: 9/23/2015 5:40 PM

Department: <u>Police</u> Prepared by: <u>Lisa Carter</u> Attachments: <u>Yes</u> <u>x</u> <u>No</u> Advertised: <u>Not Required</u> Dates: _____ Attorney Review: <u>Yes</u> <u>No</u> _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF LEESBURG,
AMENDING CHAPTER 17, PENSIONS AND RETIREMENT,
ARTICLE IV, POLICE OFFICERS' RETIREMENT FUND, OF
THE CODE OF ORDINANCES OF THE CITY OF
LEESBURG; AMENDING SECTION 6, BENEFIT AMOUNTS
AND ELIGIBILITY; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY OF PROVISIONS;
REPEALING ALL ORDINANCES IN CONFLICT HERewith
AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA;

SECTION 1: That Chapter 17, Pensions and Retirement, Article IV, Police Officers' Retirement Fund, of the Code of Ordinances of the City of Leesburg, is hereby amended by amending Section 6, Benefit Amounts and Eligibility, subsection 2., Normal Retirement Benefit, to read as follows:

* * * * *

2. Normal Retirement Benefit.

A Member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coincident with or next following his Retirement and be continued thereafter during the Member's lifetime, ceasing upon death, but with one hundred twenty (120) monthly payments guaranteed in any event. The monthly retirement benefit shall equal three percent (3%) of Average Final Compensation, for each year of Credited Service prior to May 27, 2003, two percent (2%) of Average Final Compensation for each year of Credited Service between May 27, 2003 and September 30, 2009, ~~and~~ two and one-half percent (2.5%) of Average Final Compensation for each year of Credited Service between October 1, 2009 and September 30, 2015, and three percent (3.0%) of Average Final Compensation for each year of Credited Service thereafter.

* * * * *

SECTION 2: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Leesburg.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5: That this Ordinance shall be effective upon adoption.

PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COMMISSION
OF THE CITY OF LEESBURG, FLORIDA, HELD ON THE ____ DAY OF _____,
2015.

Mayor-Commissioner

ATTEST:

City Clerk



September 2, 2015

VIA EMAIL AND MAIL

Ms. Barbara Cooper
Post Office Box 296
Danville, Indiana 46122

Re: City of Leesburg Municipal Police Officers' Pension Trust Fund
Actuarial Impact Statement

Dear Barb:

Enclosed is the following material, which has been prepared in support of the proposed benefit changes to the Fund:

1. Three (3) copies of the required Actuarial Impact Statement, which outlines the costs associated with implementing the changes.
2. Draft of transmittal letters to the Bureau of Program Services and the Bureau of Police Officers Retirement Trust Funds.

It will be necessary for the chairman to sign each copy of the Actuarial Impact Statement as the Plan Administrator and forward the Impact Statements, along with a copy of the proposed Ordinance, to the two Bureaus, prior to final reading.

If you have any questions concerning the enclosed material, please let us know.

Sincerely,

Patrick T. Donlan

PTD/lke

Enclosures

Ms. Sarah Carr
Police Officers' and Firefighters' Retirement Trust Funds
Department of Management Services, Division of Retirement
Post Office Box 3010
Tallahassee, FL 32315-3010

Re: Actuarial Impact Statement

Dear Ms. Carr:

The City of Leesburg is considering amended retirement benefits for its Police Officers. The amendments are described in the enclosed material.

Pursuant to the provisions of Chapter 185, we are enclosing the required Actuarial Impact Statement and a copy of the proposed Ordinance for your review.

If you have any questions or if additional information is needed, please contact us.

Sincerely,

Mr. Keith Brinkman
Division of Retirement
Bureau of Local Retirement Systems
P. O. Box 9000
Tallahassee, FL 32315-9000

Re: Actuarial Impact Statement

Dear Mr. Brinkman:

The City of Leesburg is considering amended retirement benefits for its Police Officers. The amendments are described in the enclosed material.

Pursuant to Section 22d-1.04 of the Agency Rules, we are enclosing the required Actuarial Impact Statement (AIS) and a copy of the proposed Ordinance for your review.

If you have any questions or if additional information is needed, please contact us.

Sincerely,

CITY OF LEESBURG
MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND

ACTUARIAL IMPACT STATEMENT
September 2, 2015

Attached hereto is a comparison of the impact on the Total Required Contribution (per Chapter 112, Florida Statutes), and the Required City Contributions, resulting from implementation of the following change:

Increase the benefit accrual rate for normal retirement for service on and after October 1, 2015 from 2.5% to 3.0%. Therefore, the benefit accrual rate will be 3.00% times Credited Service earned prior to May 27, 2003 plus 2.00% times Credited Service earned between May 27, 2003 and September 30, 2009 plus 2.50% times Credited Service earned between October 1, 2009 and September 30, 2015 plus 3.00% times Credited Service earned on and after October 1, 2015.

The cost impact, determined as of October 1, 2014, as applicable to the fiscal year ending September 30, 2016, is as follows:

	<u>Current</u>	<u>Proposed</u>
Total Required Contribution % of Total Annual Payroll	17.26%	19.79%
Member Contributions (Est.) % of Total Annual Payroll	7.65%	7.65%
City and State Required Contribution % of Total Annual Payroll	9.61%	12.14%
State Contribution (est.) * % of Total Annual Payroll	168,105 4.94%	168,105 4.94%
Balance from City % of Total Annual Payroll	4.67%	7.20%

* Represents amount received in fiscal 2015.

CITY OF LEESBURG
MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND

ACTUARIAL IMPACT STATEMENT

September 2, 2015

(Page 2)

The changes presented herein are in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X of the State Constitution.



Patrick T. Donlan, EA, ASA, MAAA
Enrolled Actuary #14-6595

STATEMENT OF PLAN ADMINISTRATOR

The prepared information presented herein reflects the estimated cost of the proposed improvement.

Chairman, Board of Trustees

COMPARATIVE SUMMARY OF PRINCIPAL VALUATION RESULTS

	New Benefits <u>10/1/2014</u>	Old Benefits <u>10/1/2014</u>
A. Participant Data		
Number Included		
Actives	65	65
Service Retirees	29	29
Beneficiaries	0	0
Terminated Vested	10	10
Disability Retirees	1	1
DROP Retirees	1	1
	<hr/>	<hr/>
Total	106	106
Total Annual Payroll	\$3,403,703	\$3,403,703
Payroll Under Assumed Ret. Age	3,403,703	3,403,703
Annual Rate of Payments to:		
Service Retirees	771,474	771,474
Beneficiaries	0	0
Terminated Vested	18,286	18,286
Disability Retirees	17,305	17,305
DROP Retirees	50,491	50,491
B. Assets		
Actuarial Value ¹	16,705,631	16,705,631
Market Value ¹	17,781,102	17,781,102
C. Liabilities		
Present Value of Benefits		
Active Members		
Retirement Benefits	11,166,106	10,384,058
Disability Benefits	572,908	572,908
Death Benefits	200,265	186,920
Vested Benefits	710,880	661,225
Refund of Contributions	166,537	166,537
Service Retirees	7,751,346	7,751,346
Beneficiaries	0	0
Terminated Vested	242,246	242,246
Disability Retirees	222,668	222,668
DROP Retirees ¹	690,627	690,627
Excess State Monies Reserve	0	0
	<hr/>	<hr/>
Total	21,723,583	20,878,535

	New Benefits <u>10/1/2014</u>	Old Benefits <u>10/1/2014</u>
C. Liabilities - (Continued)		
Present Value of Future Salaries	27,557,626	27,557,626
Present Value of Future Member Contributions	2,108,158	2,108,158
Normal Cost (FIL Method)	477,601	421,590
Present Value of Future Normal Costs (Entry Age)	4,405,399	3,951,914
Actuarial Accrued Liability	17,856,748	17,465,185
Unfunded Actuarial Accrued Liability (UAAL)	1,151,117	759,554

D. Actuarial Present Value of Accrued Benefits

Vested Accrued Benefits		
Inactives ¹	8,906,887	8,906,887
Actives	2,823,634	2,823,634
Member Contributions	<u>2,164,059</u>	<u>2,164,059</u>
Total	13,894,580	13,894,580
Non-vested Accrued Benefits	<u>571,931</u>	<u>571,931</u>
Total Present Value Accrued Benefits	14,466,511	14,466,511
Increase (Decrease) in Present Value of Accrued Benefits Attributable to:		
Plan Amendments	0	
Assumption Changes	0	
New Accrued Benefits	0	
Benefits Paid	0	
Interest	0	
Other	<u>0</u>	
Total:	0	

Valuation Date Applicable to Fiscal Year Ending	New Benefits 10/1/2014 <u>9/30/2016</u>	Old Benefits 10/1/2014 <u>9/30/2016</u>
E. Pension Cost		
Normal Cost (with interest) % of Total Annual Payroll ²	14.58	12.87
Administrative Expenses (with interest) % of Total Annual Payroll ²	1.13	1.13
Payment Required to Amortize Unfunded Actuarial Accrued Liability over 28 years (as of 10/1/2014) % of Total Annual Payroll ²	4.08	3.26
Total Required Contribution % of Total Annual Payroll ²	19.79	17.26
Expected Member Contributions % of Total Annual Payroll ²	7.65	7.65
Expected City & State Contribution % of Total Annual Payroll ²	12.14	9.61

¹ The asset values and liabilities for DROP Members include accumulated DROP Balances as of 10/1/2014.

² Contributions developed as of 10/1/2014 are expressed as a percentage of total annual payroll at 10/1/2014 of \$3,403,703.

ACTUARIAL ASSUMPTIONS AND METHODS

<u>Mortality Rate</u>	RP-2000 Table with no projection – Based on a study of over 650 public safety funds, this table reflects a 10% margin for future mortality improvements. (Disabled lives set forward 5 years.)
<u>Interest Rate</u>	7.75% per year, compounded annually, net of investment related expenses.
<u>Retirement Age</u>	100% at first eligibility for Normal Retirement. Also, any Member who has reached Normal Retirement eligibility is assumed to continue employment for one additional year.
<u>Early Retirement</u>	Commencing at eligibility for Early Retirement Members are assumed to retire with an immediate benefit at the rate of 2% per year.
<u>Disability Rate</u>	See table below (1207). It is assumed that 75% of disablements and active member deaths are service related.
<u>Termination Rate</u>	See table below (1302).
<u>Salary Increases</u>	5.2% per year until the assumed retirement age; see table below. Projected salary at retirement is increased individually to account for non-regular compensation.
<u>Cost-of-Living Adjustment</u>	None.
<u>Administrative Expenses</u>	\$37,072 added to Normal Cost (average of non-investment expenses for the past 2 years).
<u>Payroll Growth Assumption</u>	1.6% annually for amortizing UAAL (prior 2.9%)
<u>Funding Method</u>	Frozen Entry Age Actuarial Cost Method.
<u>Asset Valuation</u>	Each year, the prior Actuarial Value of Assets is brought forward utilizing the historical geometric 4-year average Market Value return. It is possible that over time this technique will produce an insignificant bias above or below Market Value.

<u>Age</u>	<u>% Terminating During the Year</u>	<u>% Becoming Disabled During the Year</u>	<u>Current Salary as % of Salary at age 50</u>
20	9.0%	.07%	21.9%
30	7.5	.11	36.3
40	3.9	.19	60.2
50	1.2	.51	100.0

SUMMARY OF PLAN PROVISIONS
(Through Ordinance No. 14-05)

<u>Eligibility</u>	Full-time sworn police officers.
<u>Salary</u>	Reportable W-2 compensation, less Christmas bonuses, but including lump sum payment of accrued sick leave, accrued annual leave, or accrued compensatory leave, plus all tax deferred (IRC Section 414(h)(2) and IRC Section 457 contributions) and tax exempt (IRC Section 125) items of income. Effective January 22, 2013, Salary shall not include more than 300 hours of overtime per year. Additionally, Salary will include the lesser of the amount of unused sick and annual leave time accrued as of January 22, 2013, or the actual amount of sick and vacation leave time for which the retiree receives payment at the time of retirement.
<u>Average Final Compensation</u>	Average of Salary paid during the 5 best years of the last 10 years of Credited Service. (The best 4 years for any Member eligible for Normal Retirement as of January 27, 2014.)
<u>Credited Service</u>	Years and fractional parts of years of service with the City as a Police Officer.
<u>Normal Retirement</u>	
Date	Earlier of 1.) Age 52 (Age 50 for Members eligible for Normal Retirement as of October 1, 2015 under the prior provisions) and the completion of 25 Years of Credited Service, or 2.) Age 55 and the completion of 10 years of Credited Service.
Benefit	3.00% of Average Final Compensation times Credited Service prior to May 27, 2003, and 2.00% for each year between May 27, 2003 and September 30, 2009 and 2.5% for each year of Credited Service thereafter.
Form of Benefit	Ten Year Certain and Life Annuity (options available).
<u>Early Retirement</u>	
Eligibility	Age 50 (Age 45 for Members who will be eligible for Early Retirement as of October 1, 2015 under the prior provisions) and completion of 10 years of Credited Service.
Benefit	Accrued benefit, reduced 3.0% per year.

Disability Benefit

Eligibility	Total and permanent; Medical proof required. 10 years of Credited Service required for non-service incurred disability benefit.
Exclusions	Disability resulting from the use of drugs, illegal participation in riots, service in military, etc.
Benefit	
Service Connected	Greater of accrued benefit or 50% of Average Final Compensation.
Non-Service Connected	Greater of accrued benefit or 25% of Average Final Compensation.

Pre-Retirement Death Benefit

Service Connected	Beneficiary receives a monthly benefit which can be provided by the greater of: 1.) present value of Member's accrued benefit, or 2.) lesser of 24 times the Member's Average Final Compensation, or 100 times the Member's anticipated normal retirement benefit.
Non-Service Connected	If less than 10 years of service, beneficiary receives a refund of Member contributions; otherwise, same as service connected benefits.

Death After Retirement

Benefit payable in accordance with optional form of pension selected at time of retirement.

Vesting (Termination of Employment)

Less than 10 years	Refund of Member Contributions.
10 years or more	Accrued pension payable on a reduced basis at Normal (unreduced) or Early (reduced) Retirement Date.

Member Contributions

7.65% of Salary.

City Contributions

Amount required after State premium tax refunds in order to pay current costs and amortize unfunded past service cost, as provided in Part VII, Chapter 112, Florida Statutes.

Board of Trustees

- a.) Two City residents appointed by the City Commission,
- b.) Two Police Officers elected by a majority of Police Officers and
- c.) A fifth Member elected by the Board and appointed (as a ministerial duty) by the City Commission.

Deferred Retirement Option Plan

Eligibility

Satisfaction of Normal Retirement requirements.

Participation

Not to exceed 60 months.

Rate of Return

Actual net rate of investment return (total return net of brokerage commissions, management fees and transaction costs) credited each fiscal quarter.

Form of Distribution

Cash lump sum (options available) at termination of employment.



AGENDA MEMORANDUM

Item No: 5C.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Annexation of 9.25 +/- acres, north of CR 470 and west of Debbie Road – (Logan Sitework)

Staff Recommendation

The Planning and Zoning staff recommend approval of the proposed annexation of 9.25 +/- acres for Logan Sitework.

Analysis

The applicant has submitted a request for annexation of approximately 9.25 acres of land generally located on the north side of CR470 and west of Debbie Road as shown on the attached General Location Map. Currently the property has one manufactured home on the northeast corner. This unit will be removed prior to development of the property. The current zoning is Lake County A (Agricultural), and the proposed zoning is City (SPUD Small Planned Unit Development). The proposed use is to build three (3) 5000 square foot office/warehouse buildings on the south side of the property fronting CR470, with a repair garage and storage yard on the north side.

The surrounding zoning of adjacent properties is County A (Agricultural to the north and west, City PUD (Planned Unit Development) to the south and west, and County R6 (Urban Residential) to the east. The proposed zoning district for the property is City SPUD (Small Planned Unit Development) and the proposed Future Land Use designation is City Industrial & Technology Commerce Park. Annexation of this property will encourage similar uses as the area along CR 470 develops. City of Leesburg utility services are located in the area.

Also on the September 14th and September 28th City Commission agendas will be the Large Scale Comprehensive Plan Amendment and a rezoning application for this property, with recommendations for approval from the Planning and Zoning Staff and Planning Commission.

Options

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property.
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact

A small positive fiscal impact will result from the annexation of this property due to increased tax revenues added to the General Fund.

Submission Date and Time: 9/23/2015 5:40 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: <u>Yes</u> <u>X</u> <u>No</u> Advertised: <u>Not Required</u> Dates: _____ Attorney Review : <u>Yes</u> <u>No</u> _____ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. <u>mwr</u> Submitted by: City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 9.25 ACRES, GENERALLY LOCATED ON THE NORTH SIDE OF CR 470 AND WEST OF DEBBIE ROAD, LYING IN SECTION 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE (Logan Sitework).

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of M. Brooks Logan, for the property hereinafter described, which lies within Lake County, Florida, that the property hereinafter described be annexed to the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situate in Lake County, Florida, is more particularly described as:

Legal Description
(See EXHIBIT A)

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed hereby is assigned to City Commission District 3.

Section 3.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2015.

THE CITY OF LEESBURG

By: _____
Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

EXHIBIT A

Logan Sitework – Legal Description

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 501 PAGE 2 of 3

PARENT PARCEL (O.R. 1880, pg. 2221)

The Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 502 PAGE 3 of 3

PARCEL 1

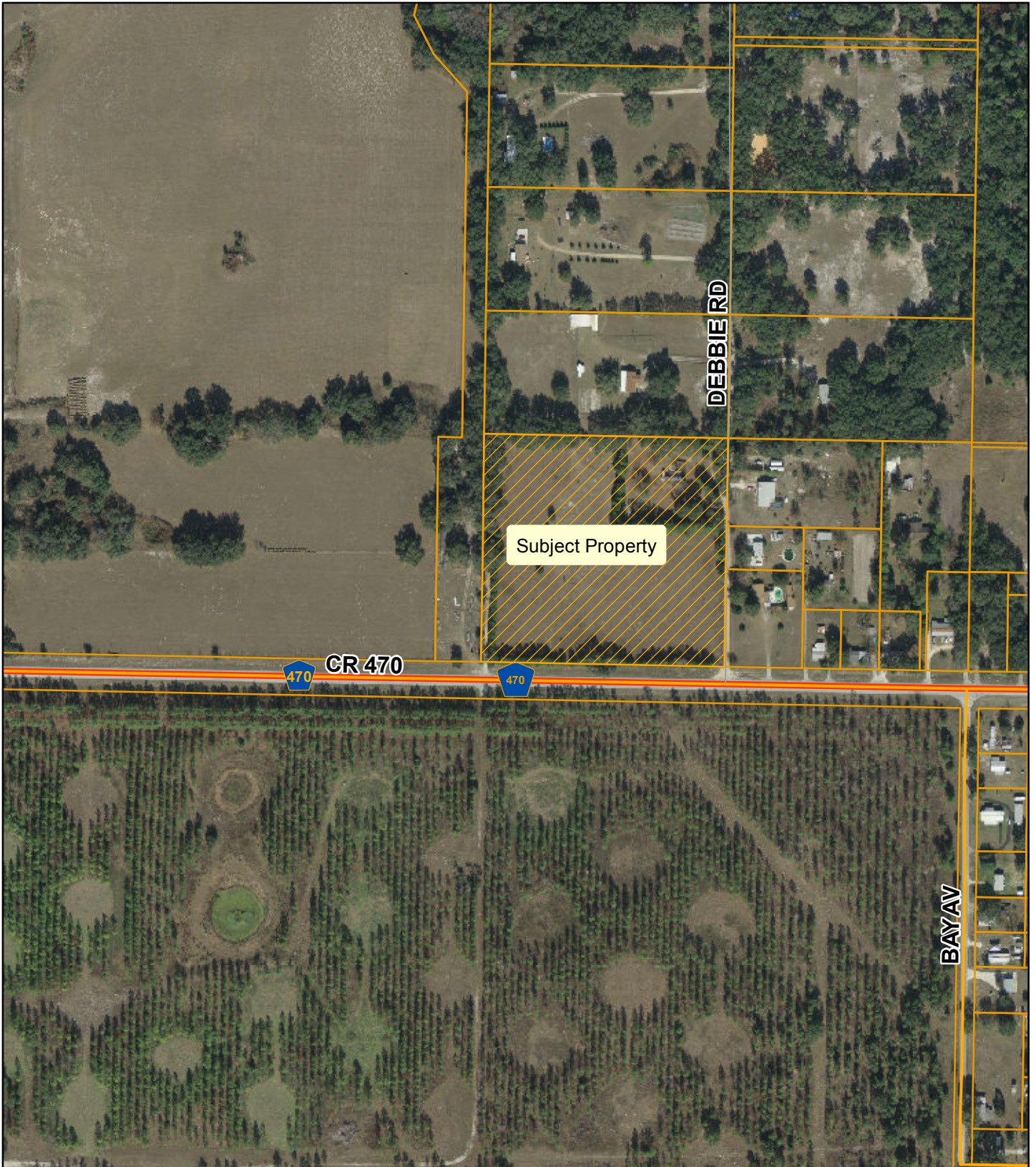
The West one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

PARCEL 2

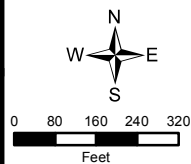
The East one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

Lake County Alternate Key #: 1296072

Aerial

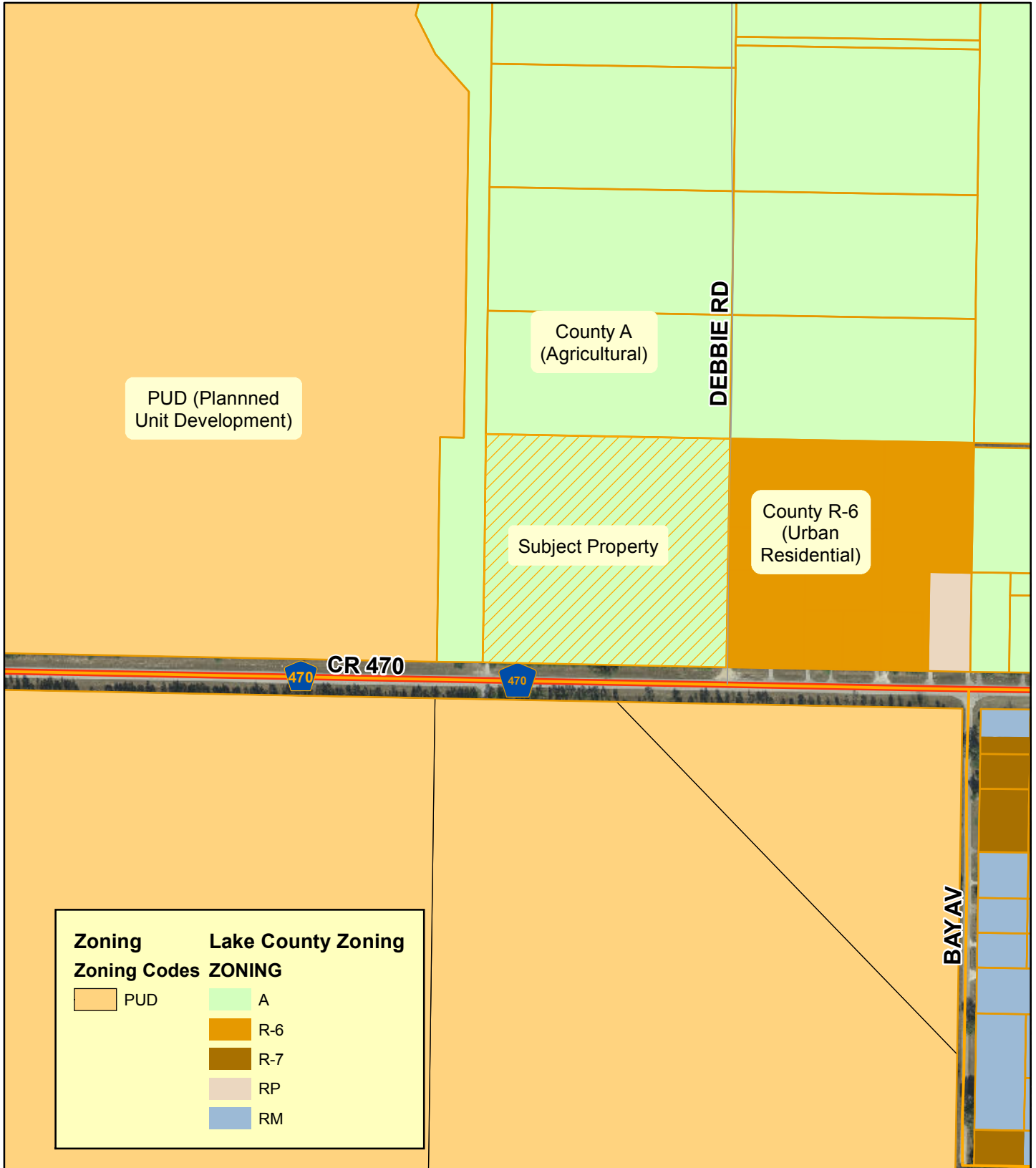


**Planning
& Zoning
Division**

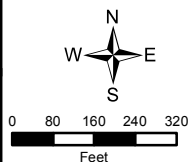


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Zoning



**Planning
& Zoning
Division**

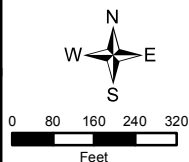


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Future Land Use



**Planning
& Zoning
Division**

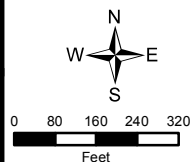


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Surrounding Land Uses

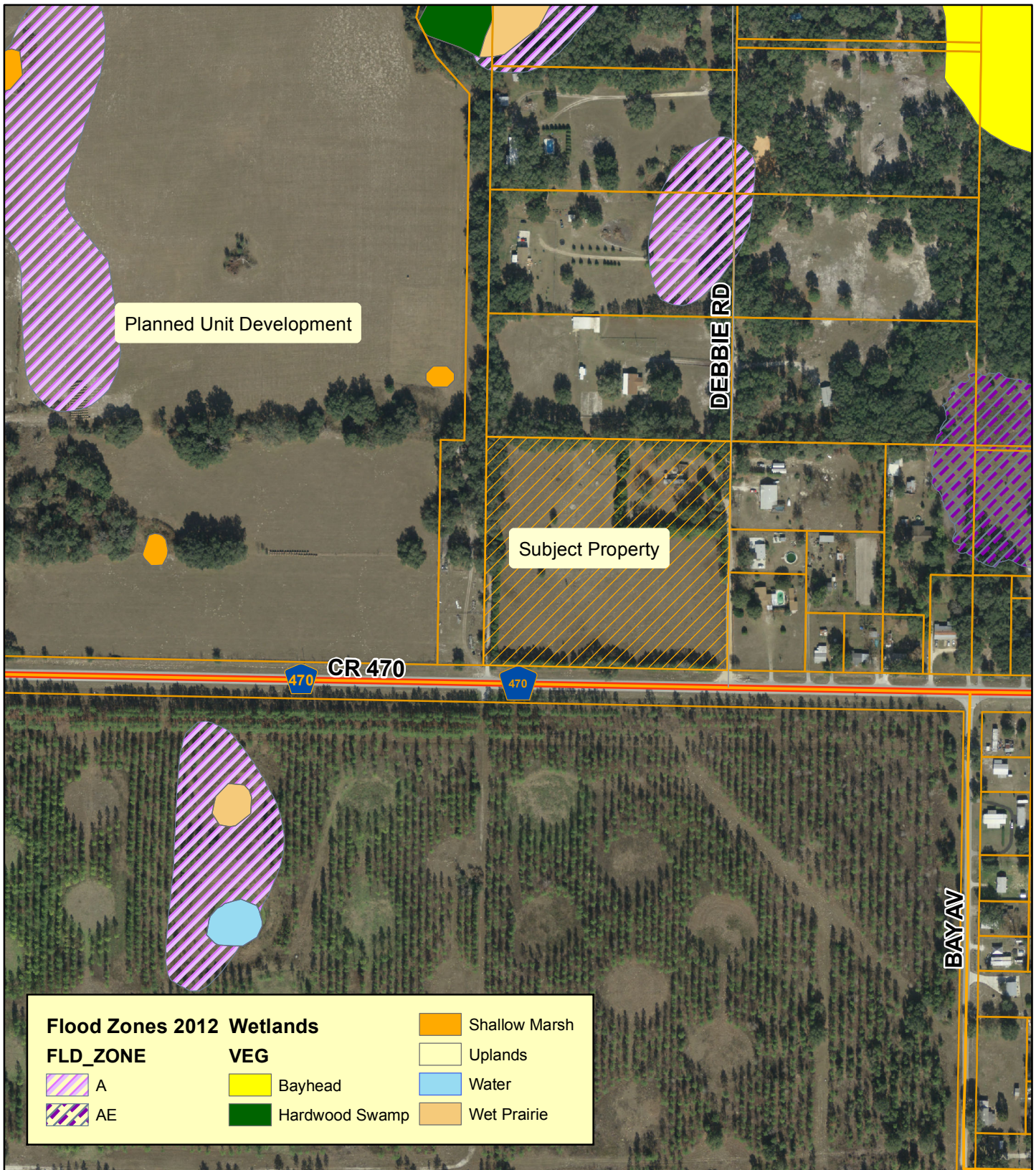


**Planning
& Zoning
Division**

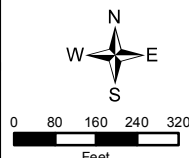


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Wetland & Flood Zones



**Planning
& Zoning
Division**



AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24



View of subject property seen from CR470



View along CR470 looking east



View along CR470 looking west



View of zoning sign posted on CR470



AGENDA MEMORANDUM

Item No: 5D.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Small Scale Comp Plan Amendment for 9.25 +/- acres, north of CR470 and west of Debbie Road, from Lake County Urban Low Density to City Industrial and Technology Commerce Park (Logan Sitework)

Staff Recommendation

The Planning and Zoning Staff and Planning Commission recommend approval of the proposed small-scale comprehensive plan amendment to the City's adopted Growth Management Plan from Lake County Urban Low Density to City Industrial and Technology Commerce Park.

Analysis

The project site is approximately 9.25 acres. The property is generally located on the north side of CR 470, west of Debbie Road. The project site is ten (10) or less acres and is therefore considered a small-scale comprehensive land use plan amendment. The City will notify the Florida Department of Economic Opportunity (FDEO) of the plan amendment and the Department will review the project site area to confirm that it is ten (10) acres or less. At that time, the Department will determine that it is a local issue and not subject to Department review.

Currently, the property contains one manufactured home on the northeast side of the property, which will be removed prior to development. The surrounding Future Land Use Map designations are Lake County Urban Low Density to the north and east, with City Industrial and Technology Commerce Park to the west and south. The proposed zoning of SPUD (Small Planned Unit Development) is compatible with the proposed future land use designation, and will provide for development that is consistent with the City's adopted Growth Management Plan. The proposed use is to build three (3) 5000 square foot office/warehouse buildings on the south side of the property fronting CR 470, with a repair garage and storage yard on the north side.

The Planning Commission held a public hearing on the application on August 20, 2015 and by a vote of 6 to 1, recommended approval.

Options

1. Approve the requested small scale comprehensive plan amendment from Lake County Urban Low Density to City Industrial and Technology Commerce Park.
2. Other such action as the Commission may deem appropriate.

Fiscal Impact

No fiscal impact is anticipated as a result of this action.

Submission Date and Time: 9/23/2015 5:40 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u> </u> Not Required <u> </u> Dates: <u> </u> Attorney Review : Yes <u> </u> No <u> </u> <u> </u> Revised 6/10/04	Reviewed by: Dept. Head <u> </u> Finance Dept. <u> </u> Deputy C.M. <u> </u> MWR Submitted by: City Manager <u> </u>	Account No. <u> </u> Project No. <u> </u> WF No. <u> </u> Budget <u> </u> Available <u> </u>
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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 9.25 ACRES, GENERALLY LOCATED ON THE NORTH SIDE OF CR 470 AND WEST OF DEBBIE ROAD, LYING IN SECTION 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, FROM LAKE COUNTY URBAN LOW DENSITY TO CITY INDUSTRIAL AND TECHNOLOGY COMMERCE PARK; AND PROVIDING AN EFFECTIVE DATE. (Logan Sitework)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission acting as the Local Planning Agency, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA,
that:

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner:

The Future Land Use Map is amended by changing the designation of an approximate 9.25 acre parcel of land generally located on the north side of CR 470 and west of Debbie Road from Lake County Urban Low Density to City Industrial and Technology Commerce Park, as shown on Attachment 1, the revised map of said area., lying in Section 16, Township 20 South, Range 24 East, Lake County, Florida, legally described as:

Legal Description
(See Exhibit A)

Section 2.

All ordinances or part of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2015.

THE CITY OF LEESBURG

By:

Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

EXHIBIT A

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 501 PAGE 2 of 3

PARENT PARCEL (O.R. 1880, pg. 2221)

The Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 502 PAGE 3 of 3

PARCEL 1

The West one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

PARCEL 2

The East one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

Lake County Alternate Key #: 1296072

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: August 19, 2015
OWNER: Shirley A. Works
PETITIONER: Shirley A. Works
PROJECT: Logan Sitework
REQUEST: Small Scale Comprehensive Plan
CASE NO.: SSCP-15-79

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 08/19/15

FIRE

“Nothing from Fire.” – David Johnson – 08/06/15

ELECTRIC

“This project is not in the Electric Department’s service area.” – Steve Davis – 08/06/15.

WATER DISTRIBUTION

No comments received as of 08/19/15

WATER BACKFLOW

“Water Backflow approved.” – Helga Bundy – 08/07/15.

STORMWATER

“Stormwater has no issues.” – Robert Beard – 08/10/15

WASTEWATER

“Wastewater connection will require pumping to an existing FM on the south side of CR 470. All construction and cost associated will be the owner’s responsibility.” – Robert Beard – 08/10/15

GAS

Approved by the City of Leesburg Gas Dept – per Kim Keenan – Gas Distribution Coordinator, 08/05/15

GIS

No comments received as of 08/19/15

BUILDING

No comments received as of 08/19/15

ENGINEERING/PUBLIC WORKS/SURVEY

No comments received as of 08/19/15

ADDRESSING

No comments received as of 08/19/15

ECONOMIC DEVELOPMENT

No comments received as of 08/19/15

PUBLIC RESPONSES

Approval

No comments received as of 08/19/15

Disapproval

Michael R. Gouine – 27633 Debbie Road, Okahumpka, FL 34762 – 352-326-8522/352-638-4303 – mgouine@headwaters.com

“I very strongly disapproved on any rezoning. This is residential/agriculture land on Debbie Road. Can’t we keep a little green in the area? We don’t want another Rogers Industrial Park in our area.”

Theresa L. Gouine – 27633 Debbie Road, Okahumpka, FL 34762 – 352-326-8572

“I strongly disapprove of rezoning. Want to keep Debbie Road residential/agricultural.”

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: August 14, 2015
OWNER: Shirley A. Works
PETITIONER: Shirley A. Works
PROJECT: Logan Sitework
REQUEST: Small Scale Comprehensive Plan
CASE NO.: SSCP-15-79

GENERAL LOCATION: The property is generally located north of CR470 and West of Debbie Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North -	Lake County Urban Low Density
South -	City Industrial Tech Commerce Park
East -	Lake County Urban Low Density
West -	City Industrial Tech Commerce Park

PROPOSED FUTURE LAND USE DESIGNATION: Industrial & Technology Commerce Park

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North -	County R-6 Urban Residential
South -	City Planned Unit Development
East -	County R-6 (Urban Residential)
West -	County A (Agriculture) and PUD (Planned Unit Development)

PROPOSED ZONING DESIGNATION: SPUD (Small Planned Unit Development)

EXISTING LAND USE: Mobile Home and undeveloped acreage

SURROUNDING LAND USE:

North -	Single Family Residential
South -	Undeveloped
East -	Single Family Residential
West -	Undeveloped

PROPOSED LAND USE: Office/warehouse on CR470 frontage with garage, material storage and retention on back side of property



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: August 20, 2015
OWNER: Shirley A. Works
PETITIONER: Shirley A. Works
PROJECT: Logan Sitework
REQUEST: Small Scale Comprehensive Agreement
CASE NO.: SSSP 15-79

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

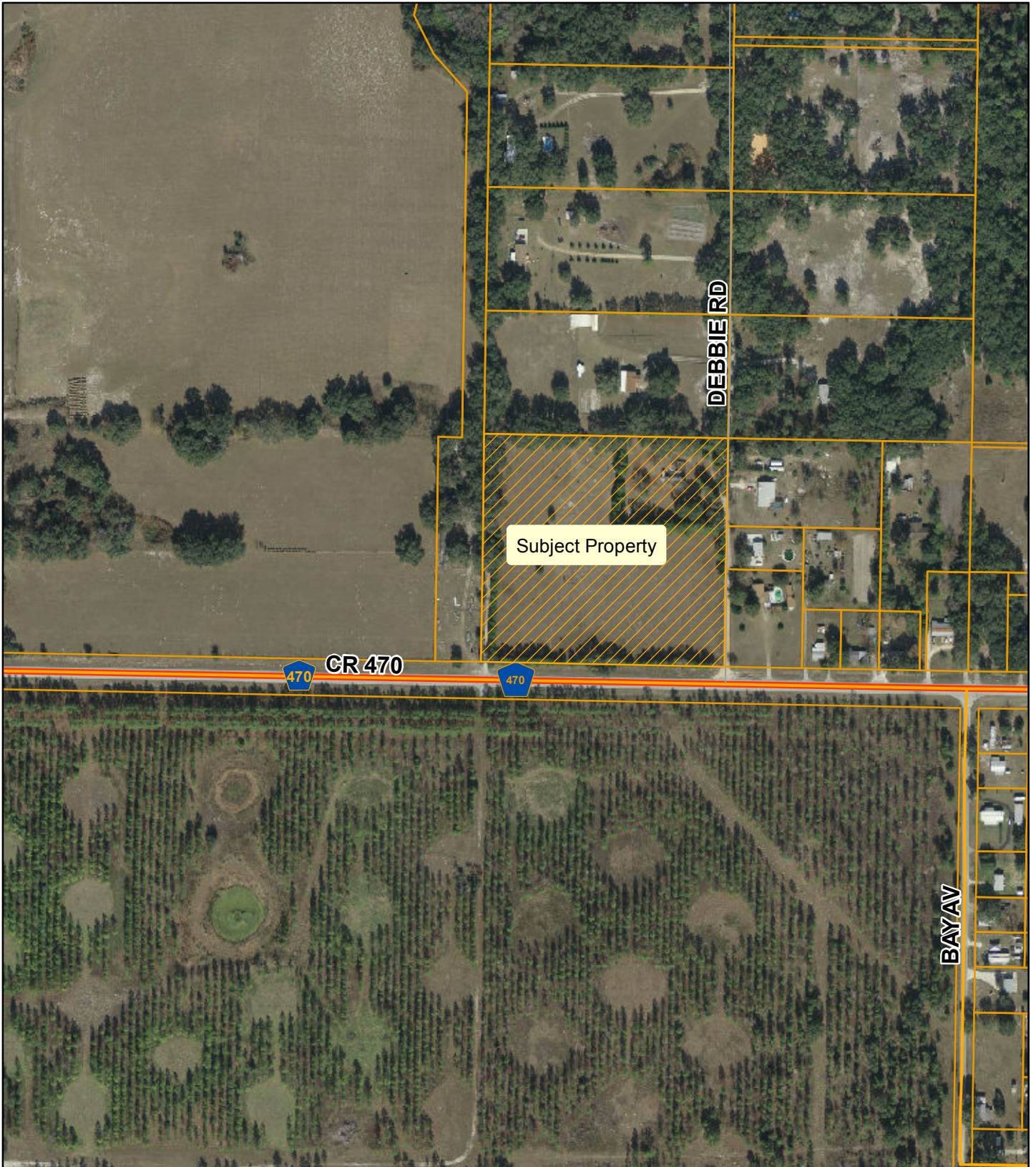
for the following reason(s):

1. This project meets the requirements of Chapter 163.3187(1)(c) Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed Future Land Use Designation of City Industrial and Technology Park is compatible with the adjacent properties having the same designation to the south and west, as well as with properties to the north and east with a Lake County Future Land Use Designation of County Urban Low Density. As conditioned, this use does not appear to present a detriment to the surrounding properties.
3. The proposed Future Land Use Designation of City Industrial and Technology Park is compatible with the current surrounding zoning districts of PUD (Planned Unit Development) to the south and west, and as conditioned is compatible with adjacent properties to the north zoned County A (Agriculture) and to the east with property zoned County R-6 (Urban Residential). As conditioned, this request does not appear to create a detriment to the surrounding properties.
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

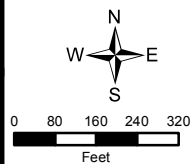
Action Requested:

1. Vote to approve the Small Scale Comprehensive Plan designation from Lake County Urban Low Density to City Industrial and Technology Park and forward the recommendation to the City Commission for consideration.

Aerial

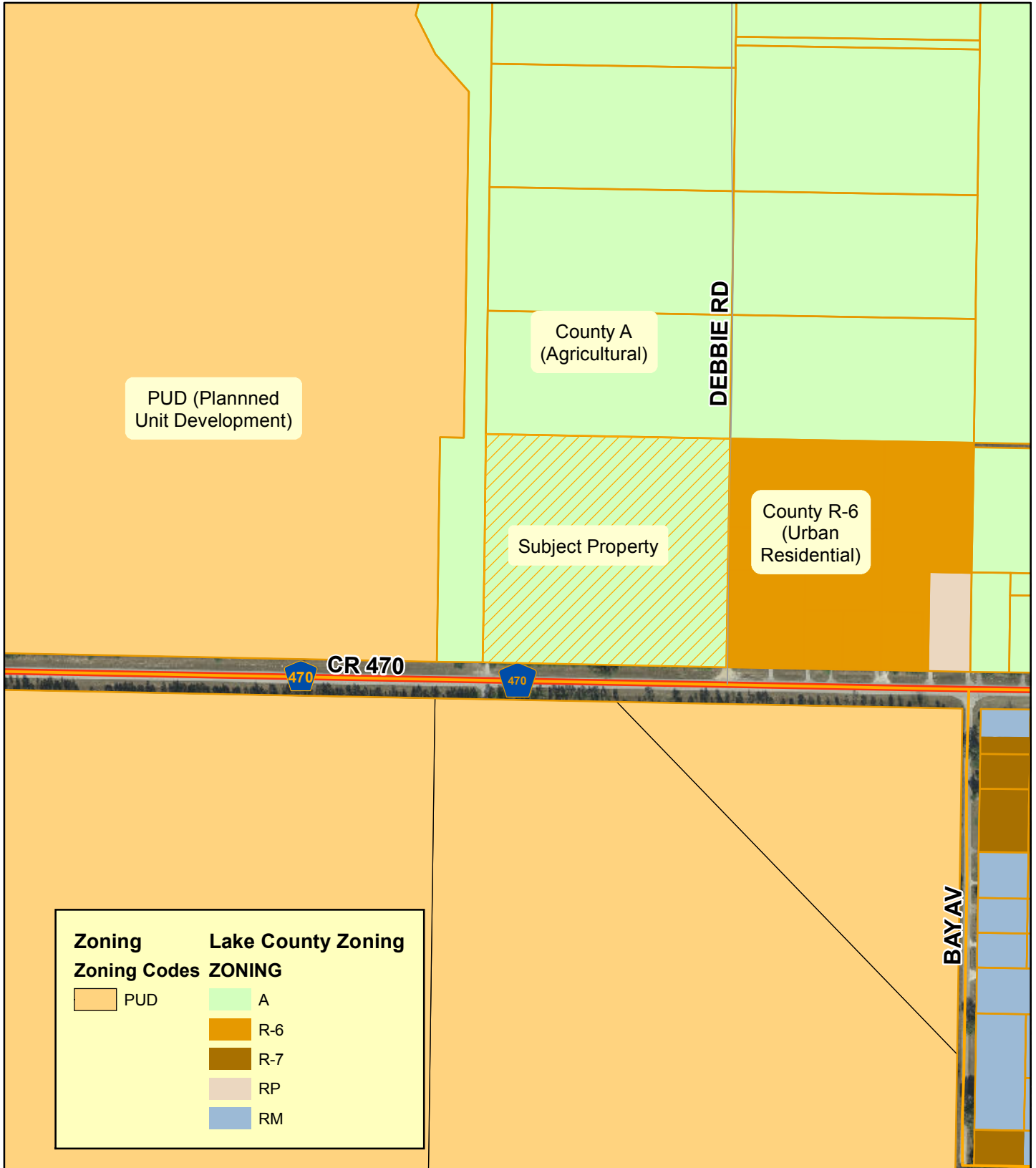


**Planning
& Zoning
Division**

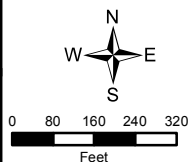


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Zoning



**Planning
& Zoning
Division**

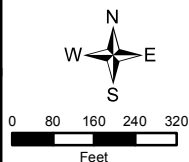


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Future Land Use



Planning
& Zoning
Division

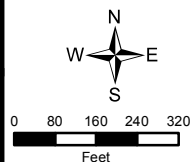


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Surrounding Land Uses

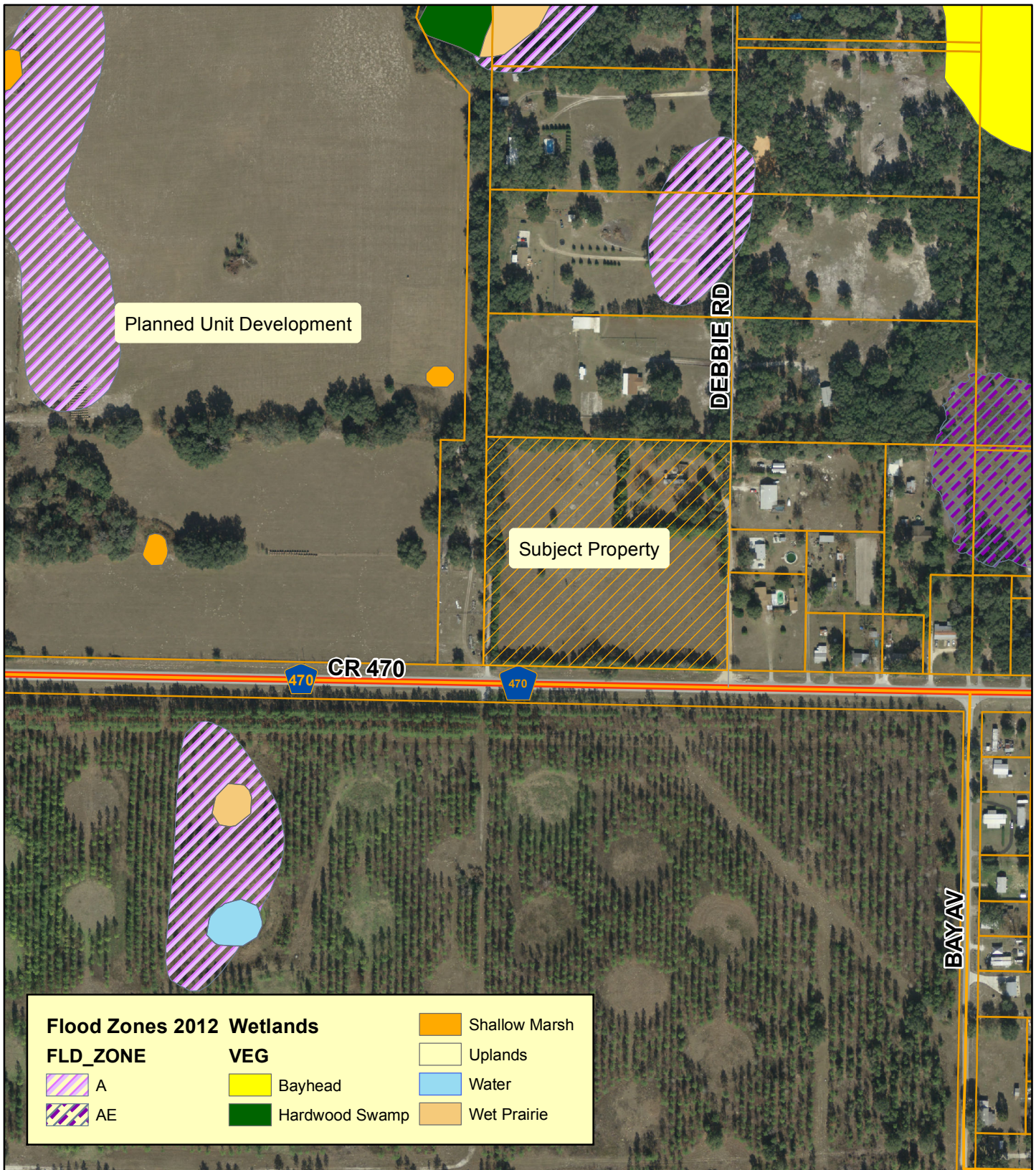


**Planning
& Zoning
Division**

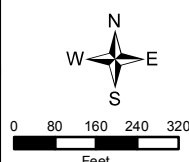


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Wetland & Flood Zones



**Planning
& Zoning
Division**



AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24



View of subject property seen from CR470



View along CR470 looking east



View along CR470 looking west



View of zoning sign posted on CR470



AGENDA MEMORANDUM

Item No: 5E.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Ordinance rezoning 9.25 +/- acres from Lake County A (Agricultural) to City SPUD (Small Planned Unit Development) for property generally located north of CR 470 and west of Debbie Road (Logan Sitework)

Staff Recommendation

Planning and Zoning Staff and Planning Commission recommend approval of the proposed rezoning of this 9.25 +/- acre site from Lake County A (Agricultural) to City SPUD (Small Planned Unit Development).

Analysis

The project site is approximately 9.25 +/- acres. The property is generally located on the north side of CR 470, just west of Debbie Road, as shown on the attached General Location Map. The present zoning for this property is Lake County A (Agricultural). Currently the property is undeveloped with the exception of a single manufactured home. This unit will be moved prior to development. The proposed use is to build three (3) 5000 square foot office/warehouse buildings on the south side of the property fronting CR 470, with a repair garage and storage yard on the north side.

The surrounding zoning designations are Lake County A (Agricultural) to the north and west, County R-6 (Urban Residential) to the east, and City PUD (Planned Unit Development) to the west and south. The current future land use category is Lake County Urban Low Density. The surrounding Future Land Use Map designations are Lake County Urban Low Density to the north and east, and City Industrial and Technology Park to the west and south.

The proposed zoning district of City SPUD (Small Planned Unit Development) is compatible with the adjacent and nearby properties in the area and with the proposed future land use designation of City Industrial and Technology Commerce Park. Based on the conditions of the zoning, this request does not appear to create a detriment to the surrounding properties.

The existing land uses surrounding the property are single family residential to the north and east; and undeveloped to the west and south. City of Leesburg utilities are available nearby.

By a vote of 7 to 0 on August 20, 2015, the Planning Commission voted to recommend approval.

Options:

1. Approve the proposed rezoning from Lake County A (Agricultural) to City (Small Planned Unit Development), thereby allowing City of Leesburg zoning and development standards for this property.
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is a small positive fiscal impact to the City through the further development of this property.

Submission Date and Time: 9/23/2015 5:41 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u> </u> Not Required <u> </u> Dates: <u> </u> Attorney Review : Yes <u> </u> No <u> </u> <u> </u> Revised 6/10/04	Reviewed by: Dept. Head <u> </u> Finance Dept. <u> </u> Deputy C.M. <u> MWR</u> Submitted by: City Manager <u> </u>	Account No. <u> </u> Project No. <u> </u> WF No. <u> </u> Budget <u> </u> Available <u> </u>
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 9.25 ACRES, GENERALLY LOCATED ON THE NORTH SIDE OF CR 470, WEST OF DEBBIE ROAD, LYING IN SECTION 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, FROM LAKE COUNTY A (AGRICULTURAL) TO CITY SPUD (SMALL PLANNED UNIT DEVELOPMENT); AND PROVIDING AN EFFECTIVE DATE. (Logan Sitework)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of M. Brooks Logan, the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agricultural) to City SPUD (Small Planned Unit Development), to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2015.

THE CITY OF LEESBURG

By: _____
Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk



**LOGAN SITEWORK
REZONING TO SPUD (SMALL PLANNED UNIT DEVELOPMENT)
PLANNED DEVELOPMENT CONDITIONS (RZ 15-80)
AUGUST 20, 2015**

These Planned Development Conditions for a SPUD (Small Planned Unit Development) District are granted by the City of Leesburg, Lake County, Florida to **Logan Sitework** "Permittee" for the purposes and terms and conditions as set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Development Process" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" has submitted an application requesting an SPUD (Small Planned Unit Development) zoning district for commercial and industrial uses on an approximately 9.25 +/- acre site generally located north of CR470 and west of Debbie Road, within the City of Leesburg in accordance with their Planned Development application and supplemental information.

PURPOSE

The purpose of this document is to provide appropriate zoning standards for a high quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for more efficient and optimal use of the subject property to increase the overall economic opportunity and employment base of Leesburg, Florida.

CONDITIONS

The following conditions shall apply to the development proposed herein. In any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. PERMISSION

Permission is hereby granted to **Logan Sitework**, to operate and maintain an SPUD (Small Planned Unit Development) development in and on real property in the City of Leesburg, subject to all appropriate federal, state and local permitting codes, standards and requirements.

2. LEGAL DESCRIPTION

The property is more particularly described below. See attached legal "Exhibit B"

3. LAND USES

The above-described property shall be developed for SPUD (Small Planned Unit Development) uses as limited herein, and pursuant to City of Leesburg development codes and standards and requirements, and as noted below.

A. Uses

Uses shall be those listed as permitted uses in this document and shall occupy the approximate area as shown on the Conceptual Site Plan, Exhibit C.

1. The following uses shall considered "Permitted Uses"
 - i. Day care uses
 - ii. Diners (breakfast & lunch only)
 - iii. General office uses
 - iv. Material stockpiling
 - v. Office/Warehouse uses
 - vi. Retail shops
 - vii. Truck maintenance
 - viii. Other uses similar in overall intensity and traffic level may be permitted by the Planning & Zoning Manager, based on a written request and response.
2. The following uses shall considered "Prohibited Uses"
 - i. Bars, clubs and lounges
 - ii. Car wash
 - iii. Community services
 - iv. Educational facilities
 - v. Funeral Home/Mortuary/Crematory uses
 - vi. Firing range
 - vii. Gas station or convenience stores
 - viii. Hotel/motel uses
 - ix. Indoor entertainment/recreation including cinema/game rooms
 - x. Liquor/Package stores (alcohol)
 - xi. Music/Dance/Gymnasium/Martial Arts/Exercise studios and/or similar instruction and performance facilities
 - xii. Outdoor recreation
 - xiii. Passenger terminals
 - xiv. Places of worship
 - xv. Restaurants
 - xvi. Residential uses (apartments/condominium/assisted living)
 - xvii. Rehab centers (including drug and alcohol)
 - xviii. Social services
 - xix. Transient accommodations
 - xx. Truck stops
 - xxi. Waste related services
 - xxii. Any other similar uses which are not considered office, warehouse, stockpiling character or intensity which may adversely impact the adjoining properties due to traffic, noise, dust, etc.

3. The following uses shall be considered "Accessory Uses"
 - i. Outdoor storage for retail use
 - ii. Temporary modular construction office for use during construction.
 - iii. Accessory structures for outside storage

4. LOT DEVELOPMENT STANDARDS

A. Minimum Lot Development Standards

1. Minimum lot development standards shall be those of the C-3 (Highway Commercial) zoning district, except as amended by these conditions.
2. Final lot sizes and setbacks may be adjusted by staff during the site plan review process to meet the intent of this PUD (Planned Unit Development) zoning.

B. Setbacks

1. Minimum distance between structures shall be 30 feet; measured from the nearest vertical wall of adjacent buildings.
2. Other setbacks shall be governed by the C-3 (Highway Commercial)

C. Impervious Surface Coverage

1. Impervious surface coverage shall not exceed 80 percent of the total property, and open space shall not be less than 20 percent of the total property area.

D. Accessory Structures

1. Accessory structures may take up no more than 25% of the required rear yard area.

E. Easements

1. As part of the development process, easements shall be provided as required by the City of Leesburg and other utility providers, including but not limited to water, wastewater, natural gas, electric, fiber, cable, and communications, for installation and maintenance of utilities

5. LANDSCAPING AND BUFFER REQUIREMENTS

A. General landscape and buffer requirements

1. A master landscape plan shall be submitted during the Site Plan Review Process for review by City staff. This plan shall show all buffer/boundary areas, parking lots, access points and new construction, and shall be reviewed for consistency with this PUD document and City of Leesburg landscape code requirements.
2. All landscaped areas shall be designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
3. All required landscaping and buffering shall be constructed in accordance with regulations contained within the City of Leesburg Code of Ordinances, including the following:

- a. A twenty-five foot street-side landscape buffer shall be constructed on the southern boundary of the property along CR470 as required by the City of Leesburg Code of Ordinances.
- b. A seventy-five (75) foot natural landscape buffer shall be required along the north and eastern property lines. Said buffer may be planted in a manner to meet the requirements of the City of Leesburg Code of Ordinances, or may remain undeveloped. Vehicular parking and construction shall not be permitted within the buffer areas.
- c. A six (6) foot wall made of concrete, brick, stucco or other solid material; or a solid PVC fence, with a maximum height of eight (8) feet, shall be constructed along the northern and eastern property lines to serve as a visual buffer from the adjacent properties.

B. Streetside landscape and buffers

1. In accordance with an approved site/landscape plan, and where applicable, for each one hundred (100) linear feet, or fraction thereof of street-side boundary area, the following plants shall be provided in accordance with the planting standards and requirements of the City of Leesburg Code of Ordinances. These plantings shall meet or exceed the requirements the following, shrubbery at a rate of 30" on center, a minimum of 18"-24" tall at planting, and two (2) canopy or three (3) ornamental/understory trees, per 100 linear feet. These plantings shall be selected from the approved lists of trees and shrubs shown in Section 25-328 (i) (2), Landscape plants materials list, City of Leesburg, Code of Ordinances. Ground cover, including mulch, pine bark, cedar, rock or synthetic mulch shall be used as groundcover for all required planted areas.
2. The remainder of the buffer area shall be landscaped with drought tolerant grasses such as Bermuda, or Bahia, plus groundcover or other landscape treatment in accordance with the City of Leesburg Code of Ordinances.
3. Existing vegetation which is to remain within the required buffer shall be protected during construction.

C. Building Landscaping

1. All new building construction shall comply with Section 25-329 Landscape Buffer Requirements, City of Leesburg Code of Ordinances, for landscaping around building areas, including a five (5) foot landscape buffer around the building perimeter.

D. Parking Lot Landscaping

1. Parking aisles shall have landscape islands located at the end of each aisle.
2. Each landscape island shall be at least 200 square feet, and contain at a minimum, one canopy or understory tree, plus shrubs and groundcover.

E. Open Space

1. A minimum of twenty (20) percent of the property shall be open space. Retention areas, buffers and landscaped areas may be used for the purpose of calculating open space. Parking areas and vehicle access areas shall not be considered in calculating open space.

F. Variations to Landscape Requirements

1. Variations to these landscape requirements of this document may be approved by the Planning and Zoning Manager as long as the intent of the landscaping section of this PUD (Planned Unit Development) document is maintained.

6. MAINTENANCE

A. Responsibility to Maintain

1. With the exception of public utilities, maintenance of all site improvements, including but not limited to drives, internal sidewalks, landscaping and drainage and all other structures shall be the responsibility of the owner.

7. SITE ACCESS

A. Site Access

1. Access to the property shall be from CR 470. No access points shall be permitted on the east side of the property. Prior to construction, all access points shall be subject to permitting through the City of Leesburg, Lake County or the Florida Department of Transportation as required by law.

B. Future Roadway Development

1. CR470 is currently planned to be re-aligned. Permittee is hereby notified that future roadway widening is planned and future roadway construction, improvements or re-alignment may impact the property and future access points.

8. PARKING

A. Standard Parking Requirements

1. The permittee shall provide off-street parking spaces within the property per the conceptual site plan, as amended, pursuant to the City of Leesburg Code of Ordinances, as amended, for the each uses as proposed.

B. Handicapped parking requirements

1. Parking requirements for handicapped accessible spaces, including number, size and design shall be met through providing the required number based on the City of Leesburg Code of Ordinances, as amended. Handicap parking standards of the Americans with Disabilities Act shall apply.

C. Limitations

1. The location and design of the proposed parking areas will be reviewed during the site plan review process to provide for adequate parking, which may limit the permitted uses of the site.

9. TRANSPORTATION IMPROVEMENTS

A. Approvals for Improvements

1. All transportation improvements shall be contingent upon site plan approval by City of Leesburg staff during development review/permit application.
2. Said approval shall also be contingent upon review and approval by the MPO, Lake County and the Florida Department of Transportation
3. The Permittee shall be responsible for obtaining all necessary Lake County and City of Leesburg permits for future development of the project site and a copy of all permits shall be provided to the City of Leesburg prior to construction plan approval.

10. SIGNAGE

A. Ground signs (CR 470) general

1. One monument style ground sign shall be permitted for the property. The overall design and architectural style shall be consistent with the overall design of the buildings. Ground signs may not be permitted on vacant property.
2. Ground signs shall be designed and constructed to comply with the standards meet all sign requirements of the City of Leesburg Code of Ordinances as amended.

B. Setbacks for ground signs.

1. The minimum setback from right-of-way line shall be five (5) feet.
2. The minimum setback from any side or rear yard property line shall be twenty (20) feet.
3. The minimum setback from any residential zoning district shall be fifty (50) feet.

C. Design of ground signs.

1. Vertical structure supports for ground signs shall be concealed in an enclosed base. The width of such enclosed base shall be equal to at least one-half (½) the horizontal width of the sign surface.
2. The base shall be of an architectural style similar to that of the principal building to include split face block, finished metal or brick or stucco finish.

D. Wall signs

1. All wall signs shall be designed and constructed to comply with the standards and requirements of the sign regulations of the City of Leesburg Code of Ordinances, as amended.

11. DEVELOPMENT PHASING

A. Planned Phasing of Development

1. The proposed project may be constructed in phases in accordance with the SPUD Small Planned Unit Development Conceptual Plan (Exhibit C) or the approved site plan as applicable. Changes to the Conceptual Development Plan or approved site plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.

B. Implementation of Development

1. Implementation of the project shall substantially commence within 36 months of approval of this Planned Unit Development. In the event, the conditions of the PUD have not been implemented during the required time period, the PUD shall be scheduled with due notice for reconsideration by the Planning Commission at their next available regular meeting. The Planning Commission will consider whether to extend the PUD approval or rezone the property to another appropriate zoning classification.

C. Satisfaction of Implementation

1. Satisfaction of the implementation of development shall be attained at such point as the developer has performed any of the following:
 - a. Received an approved site plan for new construction;
 - b. Pulled a building permit and diligently pursued completion of a new structure as shown on the conceptual site plan.

12. DRAINAGE AND UTILITIES

A. Drainage Plan Required

1. Prior to receiving Final Development Plan Approval, the "Permittee" shall submit, if applicable, a Master Site Drainage Plan and Utility Implementation Plan acceptable to the City of Leesburg. This plan shall contain:
 - a. A detailed site plan demonstrating no direct discharge of stormwater runoff generated by the development into any natural surface waters or onto adjacent properties shall be required.
 - b. A detailed site plan indicating all provisions for electric, water, sewer, and natural gas in accordance with the site plan review process as required by the City of Leesburg Code of Ordinances.

13. WETLANDS AND FLOOD ZONES

A. Existing Wetlands

1. Where wetlands exist on the site, the following requirements shall apply.
 - i. Prior to disturbance or development of any wetland area, the Permittee" shall submit and receive approval from all affected governmental agencies to include, but not limited to, St. John's River Water Management District and the State of Florida Department of Environmental Regulation.
 - ii. Any notice of violation from any affected agency shall be cause for a cease and desist order on permits issued by the City of Leesburg until such time as the violation has been resolved with the appropriate agency(s).

B. Wetland Buffers

1. Buildings or structures shall be an average of 50 feet from any wetland jurisdiction boundary. Under no circumstances shall the minimum buffer width be less than 30 feet.
2. Wetlands shall have a minimum upland buffer as established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers;

whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.

C. Wetland Easements

1. To the extent practical, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, St. Johns River Water Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to St. Johns River Water Management District or another legal entity such as a property owners association for ownership and maintenance.

14. STORMWATER MANAGEMENT / UTILITIES

A. Stormwater Management and Utility Plan

Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

1. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
2. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
3. The 100-year flood plain shown on all plans and lots.
4. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and /or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
5. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District.
6. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.

B. Responsibility for improvements

1. The developer shall bear all responsibility, financial and otherwise, for the construction and installation of utility infrastructure and other improvements related to the use and development of the property, which shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.

15. DESIGN REQUIREMENTS

A. Architectural Theme

1. Each building shall have a common architectural theme for each phase and the side of buildings which face streets (public or private) shall be finished in the same materials as used in the front of buildings.

B. Screening of equipment

1. Mechanical units and roof equipment should be screened from view with parapet or other screening method so that mechanical equipment is not seen from public right-of-way and the adjacent residential property.

C. Exterior construction materials

1. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
 - a. at least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 - b. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a "cementitious" lap siding. (A "cementitious" lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option).
 - c. All textured stucco, provided there are unique design features such as recessed areas, tile roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.

D. Building Façade

1. Building facades shall provide architectural relief for building walls and frontage walls facing the street. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between ground level floors and upper floors on multi-story buildings.

E. Design Variations

1. Other similar design variations meeting the intent of this section may be approved at the discretion of the Planning and Zoning Manager.

16. MISCELLANEOUS CONDITIONS

A. Uses

1. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically authorized by the Planning Commission or City Commission, as applicable, in accordance with the Planned Unit Development amendment process.

B. Approvals

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Code of Ordinances.

C. Compliance

1. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.

D. Transfer of Ownership

1. The transfer of ownership or lease of any or all of the property described in this SPUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Code of Ordinances, as amended.

E. Benefit

1. These SPUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.

17. LEVELS OF SERVICE AND CAPACITY

A. Levels of Service

1. As submitted, the proposed zoning change does not appear to result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to roads, sewage, water supply, drainage, and solid waste. However, no final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Projected Capacities

1. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City

develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.

2. If the development requires construction of new distribution mains, since existing facilities in the service area are not adequate, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

C. Commitment of Capacity

1. There are no previous commitments of any existing or planned excess capacity.

D. Ability to Provide Services

1. The City intends to provide water and wastewater services within its service area for the foreseeable future.

LEGAL DESCRIPTION

EXHIBIT B

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 501 PAGE 2 of 3

PARENT PARCEL (O.R. 1880, pg. 2221)

The Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

INSTRUMENT# 2014077721 OR BOOK 4503/PAGE 502 PAGE 3 of 3

PARCEL 1

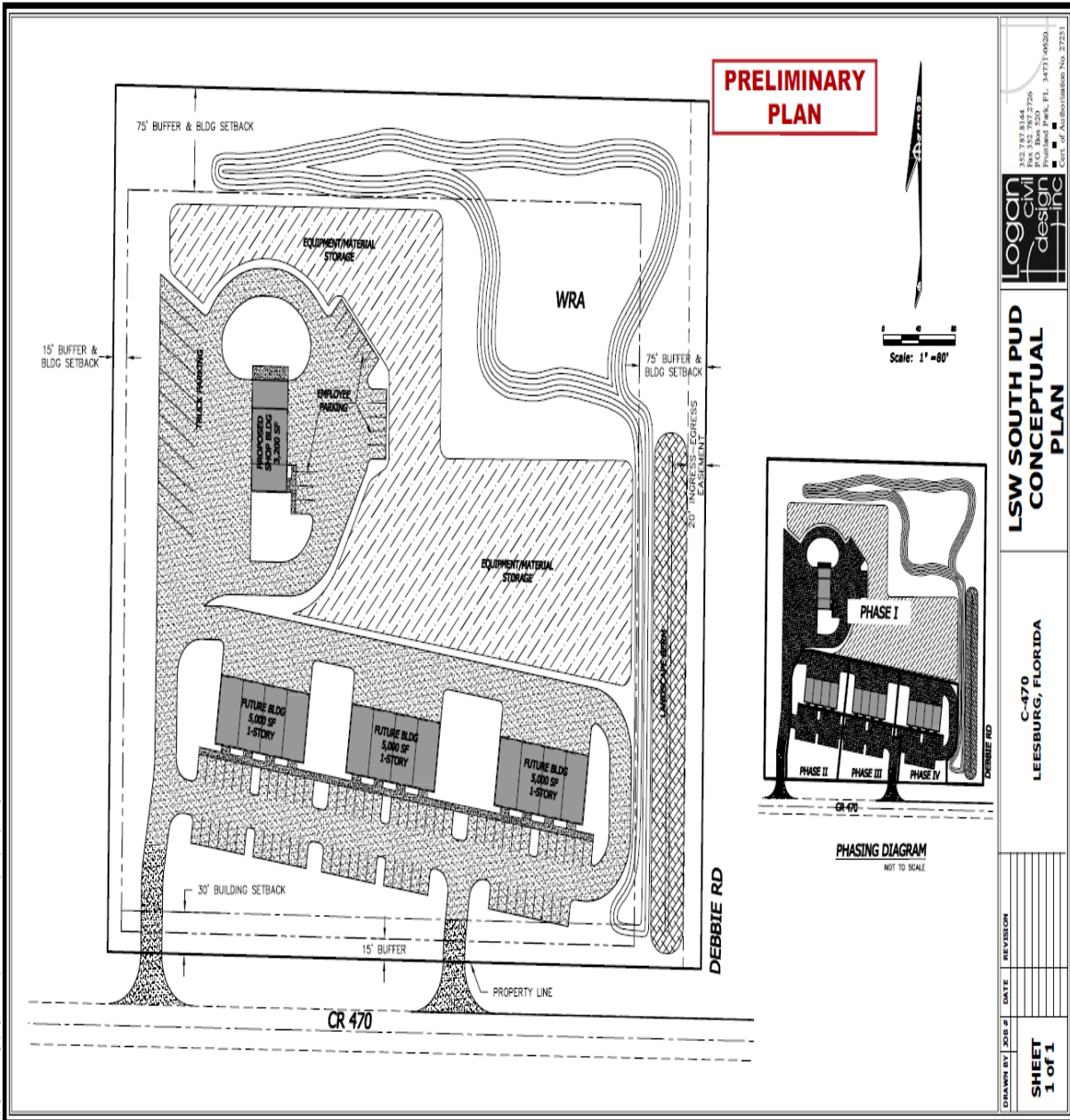
The West one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

PARCEL 2

The East one-half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter, of Section 16, Township 20 South, Range 24 East, Lake County, Florida, Less the South 50 feet thereof.

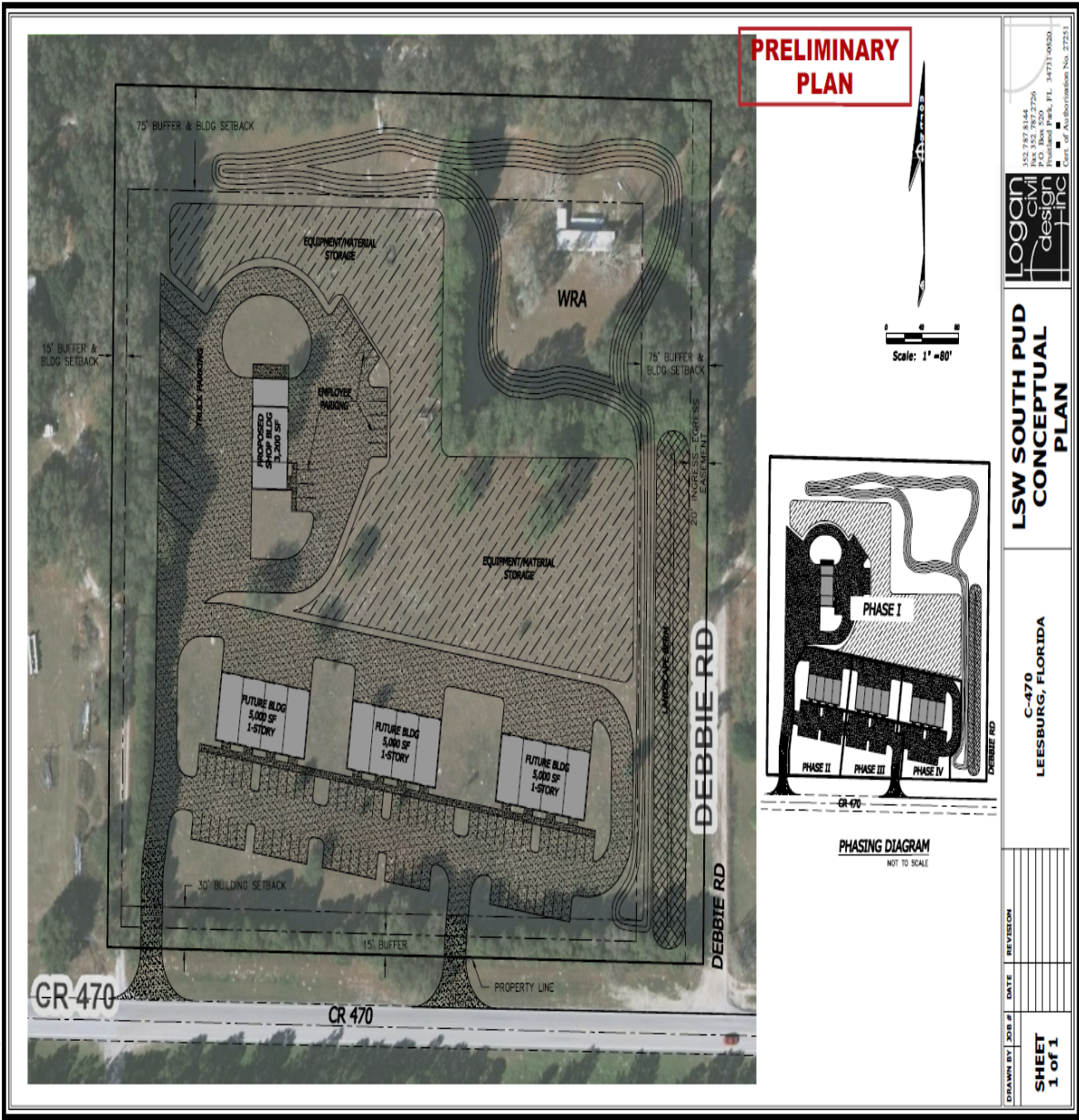
Lake County Alternate Key #: 1296072

EXHIBIT C1



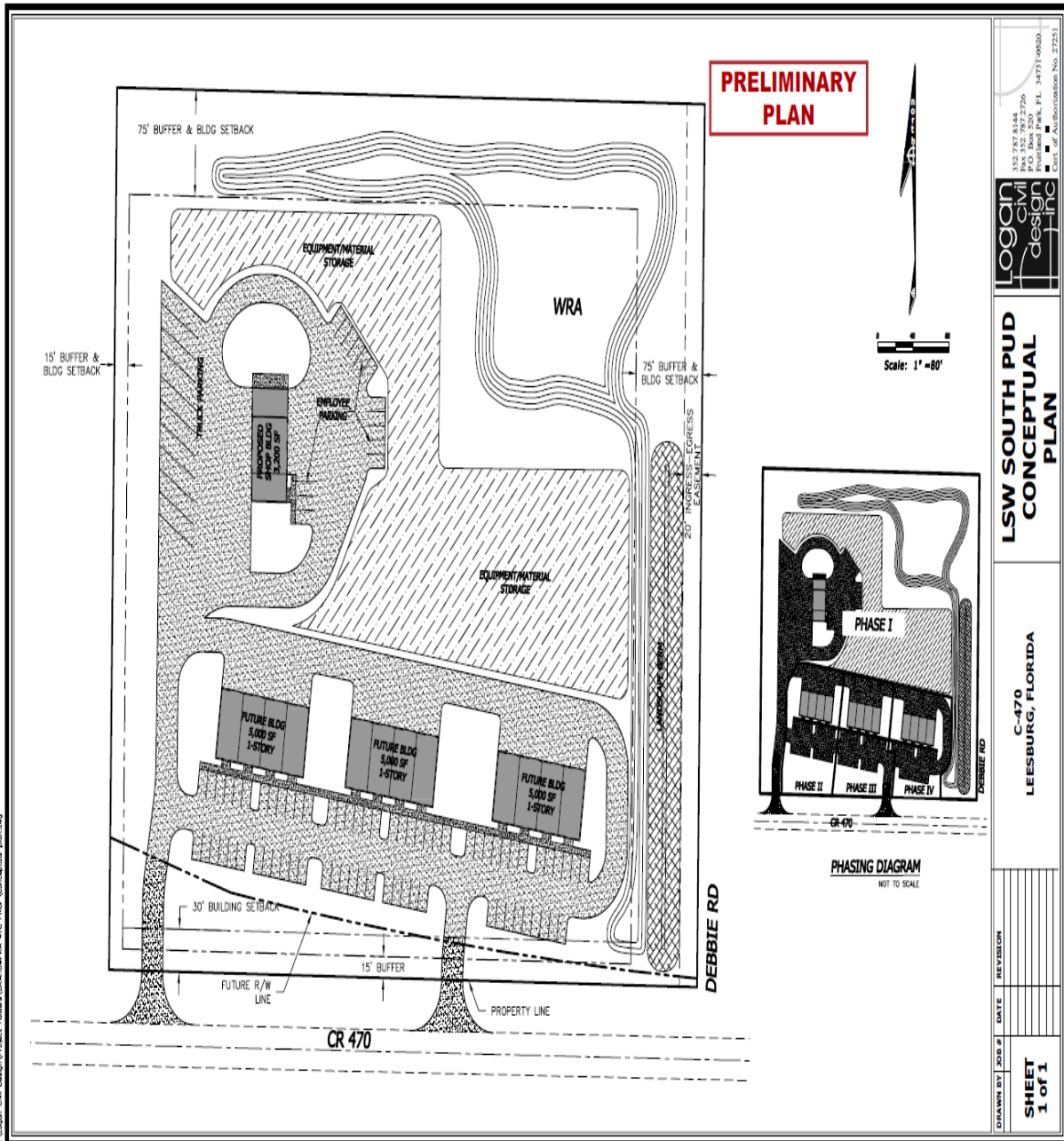
SITE PLAN
Prior to proposed CR470 roadway improvements with aerial

EXHIBIT C2



SITE PLAN
After proposed CR470 roadway improvements

EXHIBIT C3



**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: August 19, 2015
OWNER: Shirley A. Works
PETITIONER: Shirley A. Works
PROJECT: Logan Sitework
REQUEST: Rezoning
CASE NO.: RZ-15-80

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 08/19/15

FIRE

“Nothing from Fire.” – David Johnson – 08/06/15

ELECTRIC

“This project is not in the Electric Department’s service area.” – Steve Davis – 08/06/15.

WATER DISTRIBUTION

No comments received as of 08/19/15

WATER BACKFLOW

“Water Backflow approved.” – Helga Bundy – 08/07/15.

STORMWATER

No comments received as of 08/19/15

WASTEWATER

No comments received as of 08/19/15

GAS

Approved by the City of Leesburg Gas Dept – per Kim Keenan, Gas Distribution Coordinator 08/05/15.
Natural gas is available at this location.

GIS

No comments received as of 08/19/15

BUILDING

No comments received as of 08/19/15

ENGINEERING/PUBLIC WORKS/SURVEY

No comments received as of 08/19/15

ADDRESSING

No comments received as of 08/19/15

ECONOMIC DEVELOPMENT

No comments received as of 08/19/15

PUBLIC RESPONSES

Approval

No comments received as of 08/19/15

Disapproval

Michael R. Gouine – 27633 Debbie Road, Okahumpka, FL 34762 – 352-326-8522/352-638-4303 – mgouine@headwaters.com

“I very strongly disapproved on any rezoning. This is residential/agriculture land on Debbie Road. Can’t we keep a little green in the area? We don’t want another Rogers Industrial Park in our area.”

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: August 14, 2015
OWNER: Shirley A. Works
PETITIONER: Shirley A. Works
PROJECT: Logan Sitework
REQUEST: Rezoning
CASE NO.: RZ-15-80

GENERAL LOCATION: The property is generally located north of CR470 and West of Debbie Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North -	Lake County Urban Low Density
South -	City Industrial Tech Commerce Park
East -	Lake County Urban Low Density
West -	City Industrial Tech Commerce Park

PROPOSED FUTURE LAND USE DESIGNATION: Industrial & Technology Commerce Park

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North –	County R-6 Urban Residential
South -	City SPUD (Planned Unit Development)
East -	County R-6 (Urban Residential)
West -	County A (Agriculture) and PUD (Planned Unit Development)

PROPOSED ZONING DESIGNATION: SPUD (Small Planned Unit Development)

EXISTING LAND USE: Mobile Home and undeveloped acreage

SURROUNDING LAND USE:

North -	Single Family Residential
South -	Undeveloped
East -	Single Family Residential
West -	Undeveloped

PROPOSED LAND USE: Office/warehouse on CR470 frontage with garage, material storage and retention on back side of property



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: August 14, 2015
OWNER: Shirley A. Works
PETITIONER: Brooks Logan
PROJECT: Logan Sitework
REQUEST: Rezoning
CASE NO.: RZ-15-80

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

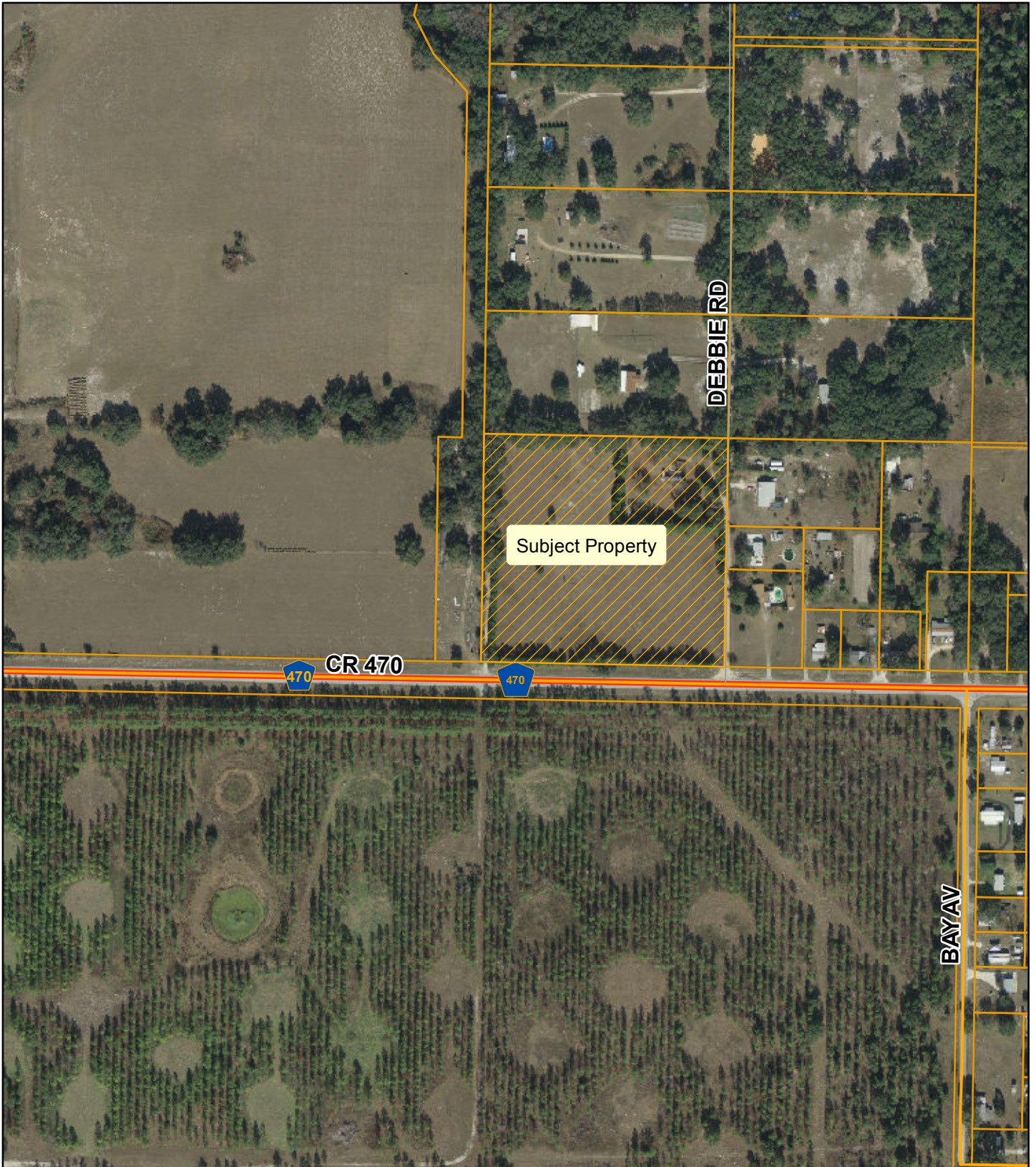
for the following reason(s):

1. The proposed zoning district of SPUD (Small Planned Unit Development) is compatible with adjacent property zoned PUD (Planned Unit Development) to the west and south, and with property zoned Lake County A (Agricultural) to the north and County R-6 (Urban Residential) to the east. Based on the conditions set forth herein, this request does not appear to create a detriment to the surrounding properties.
2. The proposed zoning district SPUD (Small Planned Unit Development) is compatible with adjacent property to the west and south with a future land use designation of Industrial and Technology Commerce Park, and as conditioned, is compatible with adjacent property to the north and east that has a future land use designation of Lake County Urban Low Density.
3. The rezoning of the subject property is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

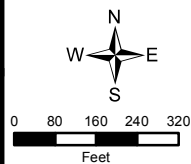
Action Requested:

1. Vote to approve the recommendation to rezone the subject property from Lake County A (Agricultural) to City SPUD (Small Planned Unit Development) as shown in Planning & Zoning Case number RZ15-80 (Exhibit A attached), and forward to the City Commission for consideration.

Aerial

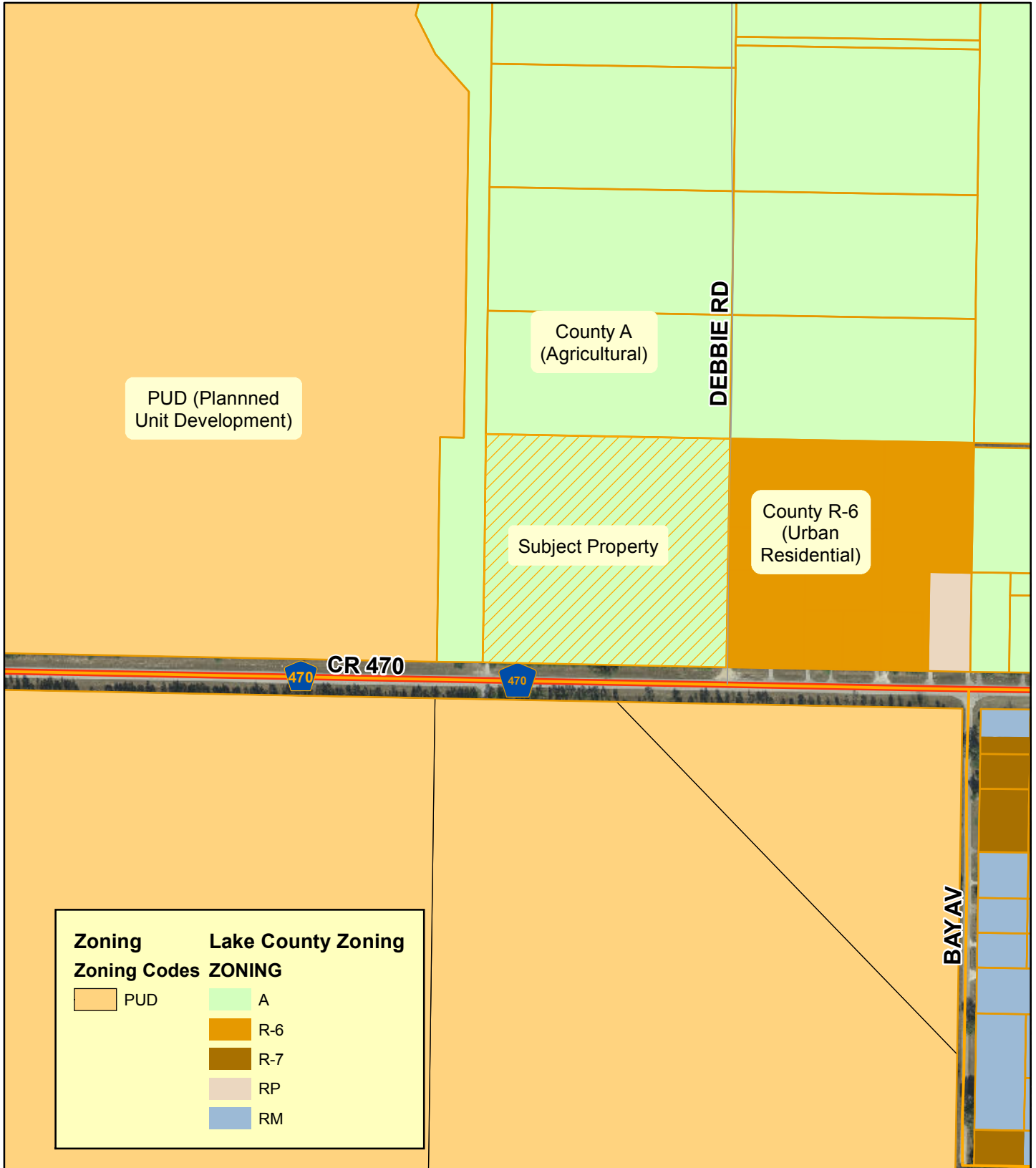


**Planning
& Zoning
Division**

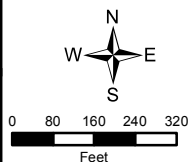


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Zoning



**Planning
& Zoning
Division**

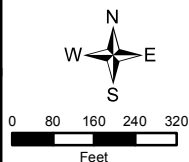


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Future Land Use



**Planning
& Zoning
Division**

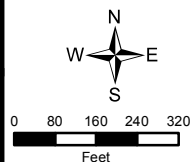


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Surrounding Land Uses

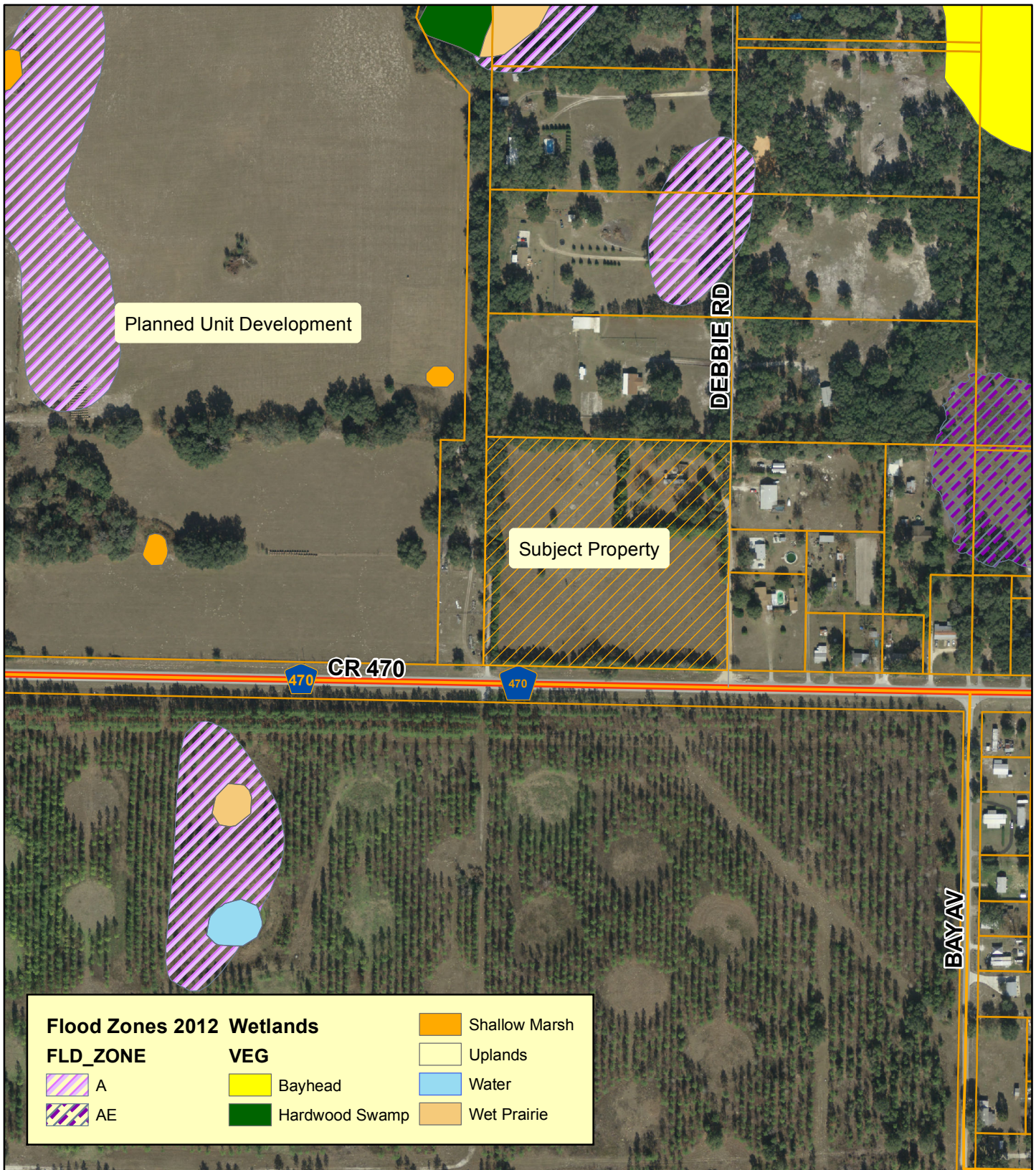


**Planning
& Zoning
Division**

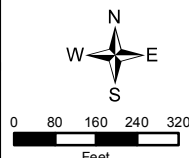


AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24

Wetland & Flood Zones



**Planning
& Zoning
Division**



AX 15-78 /SSCMP 15-79/ RZ 15-80
Logan Sitework
Leesburg, Florida
Sec 16 Twp 20 Rge 24



View of subject property seen from CR470



View along CR470 looking east



View along CR470 looking west



View of zoning sign posted on CR470



AGENDA MEMORANDUM

Item No: 5F.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Ordinance extending the phasing clause of Ordinance 12-19, Renaissance Trails PUD (Planned Unit Development)

Staff Recommendation

Staff recommends approval of the request to extend the phasing clause (Section 2.H.2) of Ordinance 12-19, Renaissance Trails PUD (Planned Unit Development).

Analysis

The Renaissance Trails property consists of 650+/- acres located on the west side of County Road 48 at the intersection of North Austin Merritt Road, as seen on the attached Aerial Map. The zoning on this property is PUD (Planned Unit Development), under Ordinance 12.19. Under this zoning, the project will contain multiple uses including 1950 units of various housing types, 315,000 square feet of commercial space on an approximately 37 acre commercial center, along with a provision for a seven (7) acre public use site. Due to the economic downturn of the past several years, the project has not moved forward, and the phasing portion of the PUD zoning is set to expire in January of 2016. This request to extend the phasing is the same action taken on other projects that have been previously approved by the City Commission. Approval of this request will extend the phasing portion of the PUD zoning under Section 2.H.2. for an additional forth-eight (48) months. No other changes to the zoning are requested.

By a vote of 7-0, the Planning Commission recommended approval of this request at their August 20, 2015 meeting.

Options:

1. Approve the request to extend the section 2.H.2. of Ordinance 12-19 by forty-eight (48) months;
- or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

There is no fiscal impact anticipated as a result of this action.

Submission Date and Time: 9/23/2015 5:41 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: Yes <u>X</u> No <u> </u> Advertised: <u> </u> Not Required <u> </u> Dates: <u> </u> Attorney Review : Yes <u> </u> No <u> </u> <u> </u> Revised 6/10/04	Reviewed by: Dept. Head <u> </u> Finance Dept. <u> </u> Deputy C.M. <u> </u> MWR Submitted by: City Manager <u> </u>	Account No. <u> </u> Project No. <u> </u> WF No. <u> </u> Budget <u> </u> Available <u> </u>
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING A PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW AN ADDITIONAL 48 MONTHS UNDER THE PHASING SECTION 2.H.2 OF THE ZONING CONDITIONS ON APPROXIMATELY 650 ACRES, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF CR 48, AT THE INTERSECTION OF NORTH AUSTIN MERRITT ROAD, AS LEGALLY DESCRIBED IN SECTIONS 31 & 6, TOWNSHIPS 20 & 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (Renaissance Trails)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Duval Farms, LLC (Shawn Riordan - Renaissance Trails), the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from PUD (Planned Unit Development) to PUD (Planned Unit Development) with revised conditions, to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2015.

Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

**RENAISSANCE TRAILS
PLANNED UNIT DEVELOPMENT/CONTEMPORARY OVERLAY DISTRICT
CONDITIONS**

**August 20, 2015
(previous January 19, 2012 and June 8, 2006)**

These Planned Unit Development/Contemporary Design Overlay Conditions for PUD/CDO (Planned Unit Development/Contemporary Design Overlay) Districts are granted by the City of Leesburg Planning Commission, Lake County, Florida to Duval Farms, LLC, (Shawn Riordan Renaissance Trails) "Permittee" for the purposes and subject to the terms and conditions as set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Unit Development" and Section 25-282 Overlay Districts (d) CDO Contemporary Design Overlay of the City of Leesburg Land Development Code, as amended.

BACKGROUND: The "Permittee" is desirous of obtaining a Planned Unit Development (PUD) with a Contemporary Design Overlay (CDO) zoning district to allow construction of a proposed mixed use development comprised of residential, commercial and public uses consisting of a maximum of 1,950 residential units on approximately 650 acres with a commercial village center of approximately 315,000 sq. ft. on approximately 37 acres, subject to approval by FDEO of a Development of Regional Impact, on a site within the City of Leesburg located at the intersection of C.R. 48 and Austin Merritt Road, in accordance with their PUD application and supplemental information.

1. **PERMISSION** is hereby granted to Duval Farms, LLC, (Shawn Riordan Renaissance Trails) to construct, operate, and maintain a Planned Unit Development with a Contemporary Design Overlay in and on real property in the City of Leesburg. The property is more particularly described as follows:

LEGAL DESCRIPTION:

See attached legal Exhibit B.

2. **LAND USE**

The above-described property, containing approximately 650 acres, shall be used for mixed use residential, commercial and public uses development, pursuant to City of Leesburg development codes and standards and the Conceptual Development Plan Exhibit C. as follows:

A. Residential Development

1. The project shall contain a maximum of 1,950 residential units on approximately 650 acres at a gross density not to exceed 3.0 units per acre.
2. Development standards to be established through future the amendment to these Planned Unit Development (PUD) conditions as conceptual plans are developed for individual phases.

3. Permitted Uses:
 - a. Single-family dwellings (detached or attached);
 - b. Townhome single-family dwellings;
 - c. Multi-family dwellings;
 - d. New urbanism design units with staff approval including rear garages with living units;
 - e. Accessory structures;
 - f. Temporary Sales and Construction Office. The developer shall be allowed to construct a temporary portable sales office on the Property. Such sales office shall be allowed to remain until new home sales operations cease.
 - g. Model homes may be used for sales center during the duration of the project.
 - h. All residential units shall be developed through a subdivision plat except for new urbanism units in conjunction with commercial development.
 4. In order to comply with the diversity of housing required by the City's adopted Growth Management Plan, Future Land Use Element, Goal I, and Objective 1.2, projects shall incorporate the following requirements:
 - a. In order to provide a balance of housing types, more than one type of housing shall be provided such as single-family attached and detached dwellings, town houses, multi-family etc. with each having a minimum of ten (10) percent of the total project except where new urbanism design communities are approved by City staff.
 - b. In addition, townhome units and residential units in conjunction with commercial uses shall not be age restricted.
 5. Interim Uses: The following uses shall be permitted only as interim uses:
 - a. Agricultural uses such as crops, live stock except swine and accessory agricultural uses such as barns and stock pens. Interim uses shall be permitted until an adjacent phase of the project is developed for residential, commercial, office or community facilities uses.
- B. Recreational Development
1. Recreational development provided on the site shall include active and passive uses, as well as enclosed or un-enclosed recreational space, devoted to the joint use of the residents. Such recreation space shall consist of not less than two hundred (200) square feet of space per dwelling unit as allocated on Map H-3. In computing useable recreation space, the following items may be considered at one and twenty-five hundredths (1.25) times the actual area.
 - a. Recreational activities such as play grounds, basket ball, tennis and hand ball courts, etc.
 - b. Developed recreational trails which provide access to the public trail system.
 - c. Swimming pool, including the deck area which normally surrounds such pools.
 - d. Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreation.
 2. Required stormwater areas and buffer areas shall not be considered as recreational space except for areas developed as recreational trails which provide access to the public trail system.

3. The Planned Unit Development shall provide planned accessibility from all areas of the development to any proposed recreational facilities including pedestrian/trail access where possible.
 4. If a connection to the proposed City trail system is required, the development shall provide a public rail to trails access/connection along the boulevard type roads through the development with a minimum of a twenty-five (25) foot wide trail within the required buffer area. Construction of any required trail will be the developer's responsibility and shall be developed per City trail requirements. Some credit may be allowed toward the required recreation areas depending on final determination of overall recreation and trail development plans. Final location and design shall be determined during the preliminary plan/site plan review process.
- C. Limited commercial uses shall be allowed within buildings designated for recreational use and shall be intended for the primary use of project residents. The location and intensity of such uses shall be approved by the City staff as part of the preliminary plan review process. Examples of such uses are sales office, post office, ATM or bank services, coffee shop etc.
- D. The commercial use of a sales office and/or model center shall be a permitted use as long as it is specifically related to the PUD residential development of the site.
- E. Commercial, Office and Community Facilities
1. Town Commercial Center area of approximately thirty-seven (37) acres shall be situated generally at the intersection of C.R. 48 and Austin Merritt Road. Final determination and location of commercial areas shall be approved during future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.
 2. Allowable uses shall be those uses as described in the C-2 (Community Commercial) Zoning District in the City of Leesburg Land Development Code (as amended).
 3. Development standards to be established through future amendment to these Planned Unit Development (PUD) conditions as conceptual plans are developed for individual phases.
 4. The gross leaseable area for the designated commercial areas shall not exceed sixty-five (65) percent ISR unless residential units are located above the commercial/office areas. With residential units the ISR shall increase to eighty (80) percent.
 5. Maximum building height shall not exceed three stories or 40 feet.
 6. Commercial development areas shall be properly screened from residential areas with a buffer in accordance with the City of Leesburg Land Development Code (as amended). Minimum buffer width shall be 10 feet.
 7. Access to the commercial development areas shall be primarily from internal roadways, not C.R.48.
 8. Recreational vehicle parking shall be restricted through deed restrictions/covenants which shall prohibit parking within the development unless within an enclosed structure or an approved designated area is provided, except for loading and unloading for a 24 hour period. If provided, the area shall be buffered and final location will be determined by staff as part of the Preliminary Subdivision approval process. Final determination of the location and size of such facilities shall be approved by City staff during the preliminary plan review process.

F. Public Use Areas and Impacts

The approximate seven (7) acre Public Use Area, as shown on the Conceptual Development Plan shall be dedicated to the City of Leesburg for public purposes prior to plat approval of any portion of the development or prior to any building permit issuance, whichever occurs first. The final size and location of the Public Use Area shall be determined by the City at the time future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.

In addition, to maximize the buildable area of the Public Use Area, any environmental, floodplain, and wetlands impacts on the site will be mitigated off site; stormwater retention will be retained and treated off-site within the planned unit development; any transportation impacts associated with the site will be included in the total number of vehicle trips approved for the planned unit development; and the site shall include central potable water and sanitary sewer lines stubbed out to the site, as well as a cleared building area, to facilitate construction in a timely manner.

Although this development is partially age restricted, some lots or units may be occupied by families with school age children, and the development may thus have an impact on public school capacity in the area. Since part of the development is restricted to the population over 55 years of age, the developer has requested that it not be required to dedicate a possible school site within the development. In order to mitigate the impacts the development may have on school capacity, in lieu of dedicating a school site the developer agrees to pay to the City, for each age restricted lot or unit, a voluntary educational impact fee equal to the adopted Lake County School Board School Impact fee in place at the time of issuance of a building permit for each age restricted unit.

G. Open Space and Buffer Areas

1. Wetlands shall have an average upland buffer of 25 feet, minimum of 15 feet, or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the preliminary plan application
2. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
3. Wetlands shall have a minimum upland buffer of 25 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be replanted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
4. Land uses allowed within the upland buffers are limited to hiking trails, horse trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
5. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.

6. A wildlife/archaeological management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The management plan shall be submitted to the City as part of the preliminary plan application. The Permittee shall designate a responsible legal entity that shall implement and maintain the management plan.
7. To the extent practical, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, St. Johns River Water Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to St. Johns River Water Management District or another legal entity such as a homeowners association for ownership and maintenance.
8. Landscape Buffer areas, identified during the development review process by the Master Plan along CR 48 and in PODs where more intense uses such as commercial, stables etc. abuts residential areas where no roads intersect these areas and provide a physical separation shall be as follows:

For each one hundred (100) linear feet, or fraction thereof, of boundary, the following plants shall be provided in accordance with the planting standards and requirements of the City of Leesburg Code of Ordinances, as amended.

- a. Two (2) canopy trees
- b. Two (2) ornamental trees
- c. Thirty (30) shrubs
- d. The remainder of the buffer area shall be landscaped with grass, groundcover, and/or other landscape treatment.
- e. Existing vegetation in the required buffer shall be protected during construction.

H. Development Phasing

1. The proposed project may be constructed in phases in accordance with the Planned Unit Development Master Plan (attached as part of these conditions). Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.
2. Implementation of Phase I of the development project shall proceed in good faith within 48 months of approval of this Planned Unit Development. In the event, the conditions of the PUD have not been implemented during the required time period, the PUD shall be scheduled with due notice for reconsideration by the Planning Commission at their next available regular meeting. The Planning Commission will consider whether to extend the PUD approval or rezone the property to RE-1 (Estate Density Residential) or another appropriate zoning classification less intense than the development permitted by these PUD Conditions.

I. Signage

1. All signage will meet City standards as set forth in the Leesburg Land Development Code except for the following conditions:
 - a. A maximum of two (2) grounds or wall residential entrance or gate signs may

be located at the main entrance to a single family, multi-family subdivision. In the alternative, one (1) double faced identification sign may be permitted when placed in the median of a private entrance road. The maximum allowable sign surface area per wall or sign shall not exceed one hundred twelve (112) square feet.

- b. Secondary entranceways shall be restricted to one (1) ground sign, not to exceed thirty (30) square feet in area and a vertical dimension of five (5) feet.
- c. Height-signs shall be a maximum of eight (8) feet and be measured from the finished grade level or crown of road to the top of the sign face, provided if the sign is integrated into a fence, wall or column.

3. **STORMWATER MANAGEMENT / UTILITIES**

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowners association is an acceptable maintenance entity.
- D. The 100-year flood plain shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and /or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District.
- G. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- H. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of utility infrastructure and other improvements related to the use and development of the property including such off site improvements required by the City, all of which shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction. If offsite utility infrastructure systems are upsized at the request of the City of Leesburg to accommodate other existing or future developments in the area, the Developer will be entitled to an applicable reimbursement method, such as cost-sharing, impact fee credits, pioneering agreements, etc., as appropriate provided by a separate utility agreement.
- I. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- J. A two (2) acre well site with the potential for two potable wells shall be dedicated to the City of Leesburg for public purposes prior to plat approval of any portion of the development or prior to any building permit issuance, whichever occurs first. The final size and location of the well site shall be determined by the City at the time of the future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.

4. **TRANSPORTATION IMPROVEMENTS**

- A. All transportation improvements shall be based on a current traffic analysis and shall be contingent upon Preliminary Subdivision Plan approval by City staff during the development review and permitting process.
- B. Vehicular access to the project site shall generally be provided as shown on the Conceptual Phasing Plan through a minimum of two four lane divided boulevard type roads. Actual locations and design of the boulevards and roads shall be approved during future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process. Other potential accesses to adjacent properties will be reviewed during the development review process.
- C. The Permittee shall provide all necessary improvements/signalization within and adjacent to the development as required by Lake County and City of Leesburg.
- D. All roads within the development shall be designed and constructed by the developer to meet the City of Leesburg requirements including but not limited to Miami curbs.
- E. Sidewalks shall be provided on one side of the local internal roads except for boulevards which shall require provide sidewalks on both sides and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Leesburg Codes.
- F. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg prior to preliminary plan approval.
- G. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- H. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City the road system is in suitable condition and meets City of Leesburg requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time.
- I. A traffic/transportation study shall be submitted prior to site plan approval for review and determination of any necessary access improvements, including any off site improvements required by FDOT, Lake County, the MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- J. At such time that traffic signals are warranted at the proposed project entrance(s), the Permittee shall pay their pro-rata share of the cost of the signal(s) as determined by City staff.

5. **DESIGN REQUIREMENTS**

Design requirements shall meet the standards as per Sec. 25-395. Contemporary design district overlay (CDO) general district standards. Designs to meet general standards provided below and will be reviewed during the development review and permitting process.

- A. Residential Development
 - 1. Contemporary design district overlay (CDO) standards require that all detached

residential development on lots that are less than fifty (50) feet in width shall be served by rear alleys. Each alley shall connect with streets at both ends.

2. Building Design

a. Detached single-family homes shall have garages located with the following provisions.

- 1) Front access garages must be set back a minimum of five (5) feet from the attached primary structure or the front building line.
- 2) Rear garages must be setback a minimum of twenty (20) feet from an alley or rear access drive.
- 3) Side entrance garages may be in line with or off set from the primary structures front setback provided the garage has front facade windows.
- 4) Homes with covered front entries and/or porches of a minimum fifty (50) square feet may have front access garages setback in line with the porch or five (5) feet forward of the porch.

b. The distance between any principal building and accessory building shall be a minimum of ten (10) feet.

c. Alternative new urbanism design and rear alley access units shall have the following:

- 1) Ten (10) foot front setback.
- 2) Traditional/Cracker style front elevations (See attached Examples Urban-Style, Traditional Design).
- 3) Covered front porches of at least forty percent of the length of the front elevation at a minimum depth of four (4) feet.

3. Additional Design Features

a. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the building:

- 1) Dormers
- 2) Gables
- 3) Recessed entries
- 4) Covered porch entries
- 5) Cupolas
- 6) Pillars or posts
- 7) Bay window (minimum 12 inch projections)
- 8) Eaves (minimum 6-inch projections)
- 9) Repetitive windows with minimum 4-inch trim.

B. Commercial Village Center Design

1. Building frontages shall occupy no less than 75% of the street facing entrance.
2. Height. The maximum building height may be increased by 10 feet as an incentive for vertical mixed use buildings, except where adjacent to single-story residential uses.
3. Public Entrance. Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functionally be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to the entrances.
4. Building Façade. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the

street. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors. The top of any building shall contain a distinctive finish consisting of a cornice or other architectural termination as described below.

5. Storefront character. Commercial and mixed-use buildings shall express a "storefront character" with the new urbanism design elements complimenting Phase V. This guideline is met by providing all of the following architectural features along the building frontage as applicable.
 - a. Corner building entrances on corner lots.
 - b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - c. Large display windows on the ground floor. All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40% and a maximum 80% of the ground floor of each storefront's linear frontage. Blank walls shall not occupy over 50% of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement, but must be transparent and shall not be painted or obscured by opaque panels.
6. Orientation. The primary building entrances shall be visible and directly accessible from a public street. Building massing such as tower elements shall be used to call-out the location of building entries.
- C. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
 1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a "cementitious" lap siding. (A "cementitious" lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 3. All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
- D. Other similar design variations meeting the intent of this section may be approved by the Community Development Director.

6. **MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically

authorized by the Planning Commission in accordance with the Planned Unit Development amendment process.

- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.

7. CONCURRENCY

As submitted, the proposed zoning change does not appear to result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities. However, no final development order (site plan and building permits) shall be granted for a proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

A. Utilities

1. Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
- b. If future development on this site is cause for off-site improvements for water and wastewater, the developer will bear the cost of design, permitting and construction of any such improvements. The developer shall receive no impact fee credits for any such required off-site improvements. The developer and the City may enter into a pioneering agreement with the developer, if appropriate.
- c. The City's Consumptive Use Permit provides for anticipated demands due to this and other potential development

B. Commitment of Capacity

There are no previous commitments of any existing or planned excess capacity.

C. Ability to Provide Services

1. The City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
2. The City updates its Ten-Year Capital Improvement Plan (CIP) as part of our annual budgetary process. Included within the CIP are water, wastewater, and reclaimed water improvements necessary to provide service to proposed development.
3. The City has completed an impact fee study, based in part on the CIP in order to assure adequate and appropriate funding for required improvements.

LEGAL DESCRIPTION

EXHIBIT B.

**LEGAL DESCRIPTION
DUVAL FARMS, LLC**

Parcel F:

SW $\frac{1}{4}$ of NE $\frac{1}{4}$ lying N & W of State Road No. 48; W $\frac{1}{2}$ of NW $\frac{1}{4}$; SW $\frac{1}{4}$ lying N & W of State Road No. 48; All SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Less the North 220 feet of the West 110 feet of the East 563 feet; All being in Section 6, Township 24 South, Range 24 East, Lake County, Florida.

Parcel G:

All that part of the following Tracts of Land Lying West of the Right of Way of State Highway 48, To-Wit:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and East 495 feet of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East.

West 825 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 6, Township 21 South, Range 24 East.

Less and Except from the above parcels Railroad Right of Way.

Parcel H:

Those certain strips of parcels of land situate, lying and being in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, County of Lake, State of Florida, and described as follows, to Wit:

That certain segment of Grantor's 120 wide Right of Way, I.E., 60 feet wide on each side of the Center Line of Grantor's main track, as formerly located; said segment of Right of Way beginning at the North line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6 and extending Southwestwardly a mean distance of approximately 915 feet to the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6; Also:

That certain segment of Grantor's 60-foot wide Right of Way, i.e. 30 feet on each side of the Center line of Grantor's main track, as formerly located; said segment of Right of Way beginning at the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and extending Southwestwardly a mean distance of approximately 980 feet to the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6;

Less and Except from all the above right of way for Austin-Merritt Road conveyed to Lake County in Official Records Book 526, Page 405, Public Records of Lake County, Florida, and Right of Way for Austin-Merritt Road as occupied.

Parcel J:

The South $\frac{1}{4}$ of the West $\frac{1}{2}$; The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; and the West 462 feet of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 20 South, Range 24 East, Lake County, Florida, Less and Except Right of Way for SE 36th Blvd.

Parcel L:

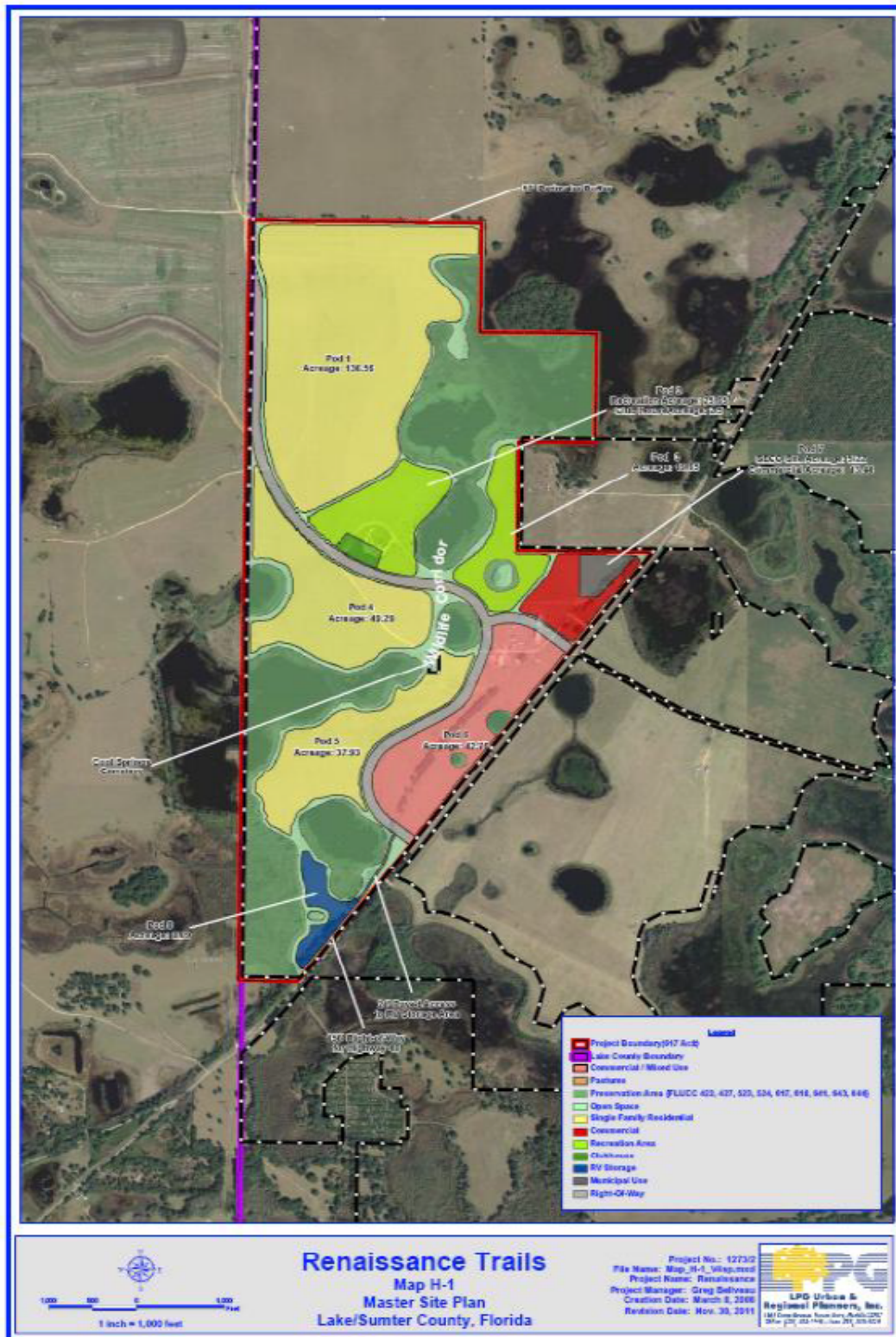
Any part of the following described property lying within Section 6, Township 21 South, Range 24 East: The abandoned 120 feet wide segment of the Seaboard Cost Line Railroad Company's former track, i.e. 60 feet wide on each side of the center line of the SCLRR'S Former track located at the beginning at the west line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, and extending Northeastwardly approximately 5,603 feet to the North line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6, All in Township 21 South, Range 24 East, Lake County, Florida.

Less and Except the Following:

A portion of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, Lake County, Florida, being more particularly described as follows:

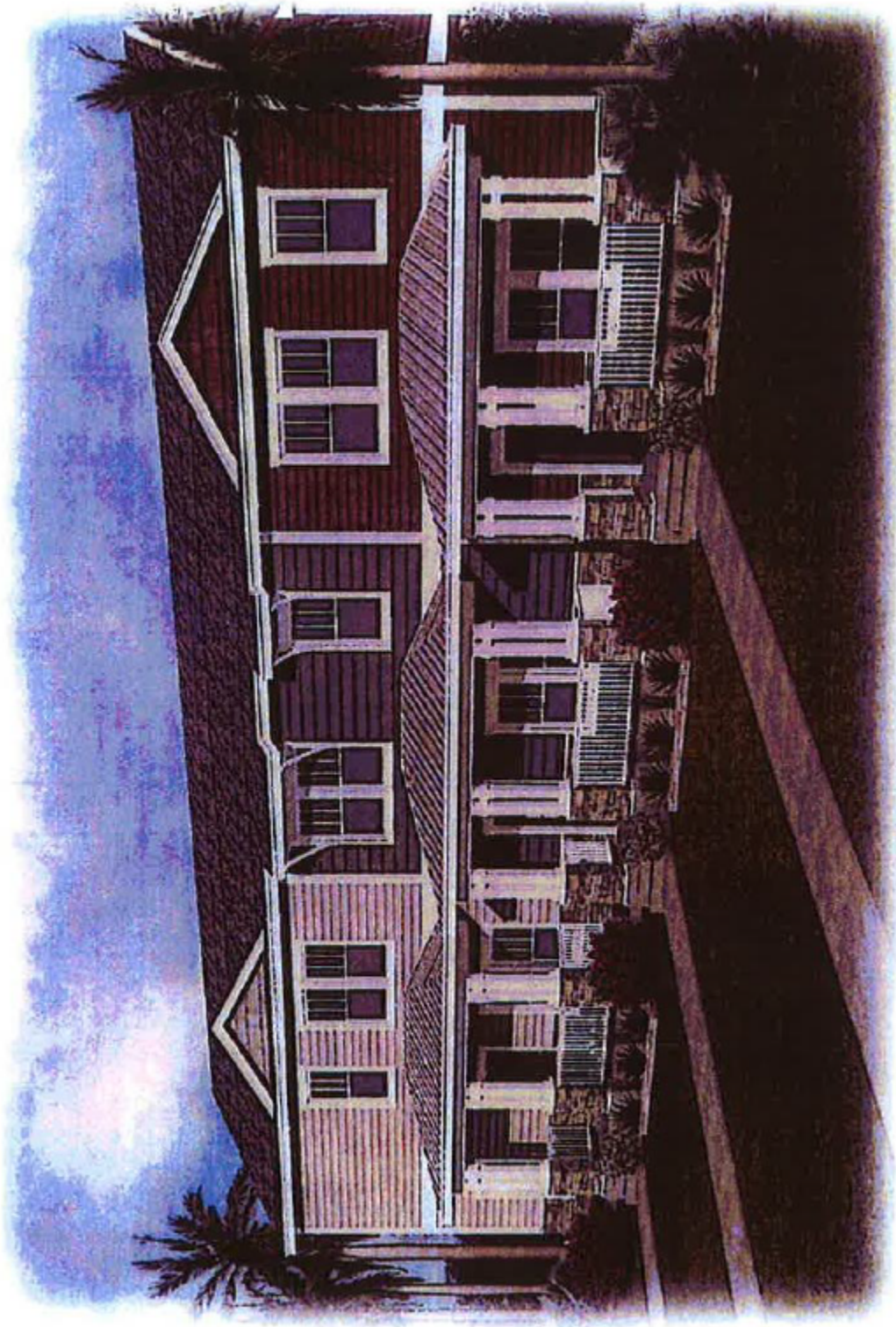
Commencing at the NE Corner of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, Lake County, Florida; Thence North 89°39'14" West along the North boundary of said NE $\frac{1}{4}$, a distance of 871.65 feet to the Point of Beginning; Thence continue along said North boundary North 89°39'14" West 679.48 feet; Thence departing said North boundary South 00°20'46" West 518.13 feet; Thence South 89°39'14: East 217.49 feet; Thence North 42°04'03" East 694.18 feet to the Point of Beginning.

EXHIBIT C









**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: August 14, 2015
OWNER: Shawn Riordan, Duval Farms, LLC
PETITIONER: Greg Beliveau
PROJECT: Renaissance Trails PUD
REQUEST: Planned Developments Zoning
CASE NO.: RZ-15-67

GENERAL LOCATION: The property is generally located on the west side of CR 48 at the western terminus of Austin Merritt Road

FUTURE LAND USE DESIGNATION: Neighborhood Mixed Use

SURROUNDING FUTURE LAND USE DESIGNATION:

North -	Conservation and SP Mixed Use
South -	Neighborhood Mixed Use
East -	Conservation and Neighborhood Mixed Use
West -	Sumter County

PROPOSED FUTURE LAND USE DESIGNATION: Neighborhood Mixed Use (no change requested)

EXISTING ZONING DESIGNATION: PUD (Planned Unit Development)

SURROUNDING ZONING DESIGNATIONS:

North -	PUD (Planned Unit Development)
South -	PUD (Planned Unit Development)
East -	PUD (Planned Unit Development)
West -	Sumter County

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE:

North -	Undeveloped and single family
South -	Undeveloped and single family
East -	Undeveloped and single family
West -	Undeveloped and single family

APPLICANT REQUESTS: The owner is requesting a 48 month extension to the existing PUD (Planned Unit Development)

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: August 19, 2015
OWNER: Shawn Riordan, Duval Farms, LLC
PETITIONER: Greg Beliveau
PROJECT: Renaissance Trails PUD
REQUEST: Planned Developments Zoning
CASE NO.: RZ-15-67

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 08/19/15

FIRE

“Nothing from Fire.” – David Johnson – 08/06/15

ELECTRIC

“This project is not in the Electric Department’s service area.” – Zandy Ogilvie – 08/06/15.

WATER DISTRIBUTION

“Approved.” – Gary Hunnewell – 07/03/15.

WATER BACKFLOW

“Water Backflow approved.” – Helga Bundy – 08/07/15.

STORMWATER

“Stormwater has no issues.” – Robert Beard – 08/10/15

WASTEWATER

“Wastewater has no issues.” – Robert Beard – 08/10/15

GAS

Approved – By the City of Leesburg Gas Dept per – Kim Keenan – Gas Distribution Coordinator
08/05/2015

GIS

No comments received as of 08/19/15

BUILDING

No comments received as of 08/19/15

ENGINEERING/PUBLIC WORKS/SURVEY

No comments received as of 08/19/15.

ADDRESSING

No comments received as of 08/19/15

ECONOMIC DEVELOPMENT

No comments received as of 08/19/15

PUBLIC RESPONSES

Approval

Roxanne Mastrantonio – Sumter Electric, PO Box 301, Sumterville, FL 33585 – 352-569-9631 –
roxanne.mastrantonio@secoenergy.com

Disapproval

No comments received as of 08/19/15



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: Duval Farms, LLC-Shawn Riordan
PROJECT: Renaissance Trails
REQUEST: PUD Rezoning (Extension of PUD phasing by 48 months)
CASE NO.: RZ 15-67 (Previous City of Leesburg Ordinance 12-19)
MEETING DATE: August 20, 2015

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request to amend the existing phasing requirements of the current PUD (Planned Unit Development) zoning by extending the phasing requirements for forty-eight (48) months is compatible with adjacent property zoned PUD (Planned Unit Development) to the north, south, and east, with property to the east zoned County A (Agricultural) and with property to the west in Sumter County.
2. The proposed request is compatible with the existing future land use designation of Neighborhood Mixed Use, and is compatible with the adjacent property to the north with a future land use designation of SP Mixed Use and Conservation. It is also consistent with adjacent property with a future land use designation of County Rural to the west, and with property to the west in Sumter County.
3. The proposed request is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the recommendation to amend the existing phasing requirements of the current PUD (Planned Unit Development) zoning by extending the phasing requirements of Ordinance 12-19, Section H.2, for forty-eight (48) months, for the subject property with the PUD (Planned Unit Development) Conditions attached as Exhibit A hereto, dated August 20, 2015 and forward to the City Commission for consideration.

**RENAISSANCE TRAILS
PLANNED UNIT DEVELOPMENT/CONTEMPORARY OVERLAY DISTRICT
CONDITIONS
August 20, 2015
(previous January 19, 2012 and June 8, 2006)**

These Planned Unit Development/Contemporary Design Overlay Conditions for PUD/CDO (Planned Unit Development/Contemporary Design Overlay) Districts are granted by the City of Leesburg Planning Commission, Lake County, Florida to Duval Farms, LLC, (Shawn Riordan Renaissance Trails) "Permittee" for the purposes and subject to the terms and conditions as set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Unit Development " and Section 25-282 Overlay Districts (d) CDO Contemporary Design Overlay of the City of Leesburg Land Development Code, as amended.

BACKGROUND: The "Permittee" is desirous of obtaining a Planned Unit Development (PUD) with a Contemporary Design Overlay (CDO) zoning district to allow construction of a proposed mixed use development comprised of residential, commercial and public uses consisting of a maximum of 1,950 residential units on approximately 650 acres with a commercial village center of approximately 315,000 sq. ft. on approximately 37 acres, subject to approval by FDEO of a Development of Regional Impact, on a site within the City of Leesburg located at the intersection of C.R. 48 and Austin Merritt Road, in accordance with their PUD application and supplemental information.

1. **PERMISSION** is hereby granted to Duval Farms, LLC, (Shawn Riordan Renaissance Trails) to construct, operate, and maintain a Planned Unit Development with a Contemporary Design Overlay in and on real property in the City of Leesburg. The property is more particularly described as follows:

LEGAL DESCRIPTION:

See attached legal Exhibit B.

2. **LAND USE**

The above-described property, containing approximately 650 acres, shall be used for mixed use residential, commercial and public uses development, pursuant to City of Leesburg development codes and standards and the Conceptual Development Plan Exhibit C. as follows:

- A. Residential Development

1. The project shall contain a maximum of 1,950 residential units on approximately 650 acres at a gross density not to exceed 3.0 units per acre.
2. Development standards to be established through future the amendment to these Planned Unit Development (PUD) conditions as conceptual plans are developed for individual phases.

3. Permitted Uses:
 - a. Single-family dwellings (detached or attached);
 - b. Townhome single-family dwellings;
 - c. Multi-family dwellings;
 - d. New urbanism design units with staff approval including rear garages with living units;
 - e. Accessory structures;
 - f. Temporary Sales and Construction Office. The developer shall be allowed to construct a temporary portable sales office on the Property. Such sales office shall be allowed to remain until new home sales operations cease.
 - g. Model homes may be used for sales center during the duration of the project.
 - h. All residential units shall be developed through a subdivision plat except for new urbanism units in conjunction with commercial development.
4. In order to comply with the diversity of housing required by the City's adopted Growth Management Plan, Future Land Use Element, Goal I, and Objective 1.2, projects shall incorporate the following requirements:
 - a. In order to provide a balance of housing types, more than one type of housing shall be provided such as single-family attached and detached dwellings, town houses, multi-family etc. with each having a minimum of ten (10) percent of the total project except where new urbanism design communities are approved by City staff.
 - b. In addition, townhome units and residential units in conjunction with commercial uses shall not be age restricted.
5. Interim Uses: The following uses shall be permitted only as interim uses:
 - a. Agricultural uses such as crops, live stock except swine and accessory agricultural uses such as barns and stock pens. Interim uses shall be permitted until an adjacent phase of the project is developed for residential, commercial, office or community facilities uses.

B. Recreational Development

1. Recreational development provided on the site shall include active and passive uses, as well as enclosed or un-enclosed recreational space, devoted to the joint use of the residents. Such recreation space shall consist of not less than two hundred (200) square feet of space per dwelling unit as allocated on Map H-3. In computing useable recreation space, the following items may be considered at one and twenty-five hundredths (1.25) times the actual area.
 - a. Recreational activities such as play grounds, basket ball, tennis and hand ball courts, etc.
 - b. Developed recreational trails which provide access to the public trail system.
 - c. Swimming pool, including the deck area which normally surrounds such pools.
 - d. Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreation.
2. Required stormwater areas and buffer areas shall not be considered as recreational space except for areas developed as recreational trails which provide access to the public trail system.

3. The Planned Unit Development shall provide planned accessibility from all areas of the development to any proposed recreational facilities including pedestrian/trail access where possible.
 4. If a connection to the proposed City trail system is required, the development shall provide a public rail to trails access/connection along the boulevard type roads through the development with a minimum of a twenty-five (25) foot wide trail within the required buffer area. Construction of any required trail will be the developer's responsibility and shall be developed per City trail requirements. Some credit may be allowed toward the required recreation areas depending on final determination of overall recreation and trail development plans. Final location and design shall be determined during the preliminary plan/site plan review process.
- C. Limited commercial uses shall be allowed within buildings designated for recreational use and shall be intended for the primary use of project residents. The location and intensity of such uses shall be approved by the City staff as part of the preliminary plan review process. Examples of such uses are sales office, post office, ATM or bank services, coffee shop etc.
- D. The commercial use of a sales office and/or model center shall be a permitted use as long as it is specifically related to the PUD residential development of the site.
- E. Commercial, Office and Community Facilities
1. Town Commercial Center area of approximately thirty-seven (37) acres shall be situated generally at the intersection of C.R. 48 and Austin Merritt Road. Final determination and location of commercial areas shall be approved during future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.
 2. Allowable uses shall be those uses as described in the C-2 (Community Commercial) Zoning District in the City of Leesburg Land Development Code (as amended).
 3. Development standards to be established through future amendment to these Planned Unit Development (PUD) conditions as conceptual plans are developed for individual phases.
 4. The gross leaseable area for the designated commercial areas shall not exceed sixty-five (65) percent ISR unless residential units are located above the commercial/office areas. With residential units the ISR shall increase to eighty (80) percent.
 5. Maximum building height shall not exceed three stories or 40 feet.
 6. Commercial development areas shall be properly screened from residential areas with a buffer in accordance with the City of Leesburg Land Development Code (as amended). Minimum buffer width shall be 10 feet.
 7. Access to the commercial development areas shall be primarily from internal roadways, not C.R.48.
 8. Recreational vehicle parking shall be restricted through deed restrictions/covenants which shall prohibit parking within the development unless within an enclosed structure or an approved designated area is provided, except for loading and unloading for a 24 hour period. If provided, the area shall be buffered and final location will be determined by staff as part of the Preliminary Subdivision approval process. Final determination of the location and size of such facilities shall be approved by City staff during the preliminary plan review process.

F. Public Use Areas and Impacts

The approximate seven (7) acre Public Use Area, as shown on the Conceptual Development Plan shall be dedicated to the City of Leesburg for public purposes prior to plat approval of any portion of the development or prior to any building permit issuance, whichever occurs first. The final size and location of the Public Use Area shall be determined by the City at the time future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.

In addition, to maximize the buildable area of the Public Use Area, any environmental, floodplain, and wetlands impacts on the site will be mitigated off site; stormwater retention will be retained and treated off-site within the planned unit development; any transportation impacts associated with the site will be included in the total number of vehicle trips approved for the planned unit development; and the site shall include central potable water and sanitary sewer lines stubbed out to the site, as well as a cleared building area, to facilitate construction in a timely manner.

Although this development is partially age restricted, some lots or units may be occupied by families with school age children, and the development may thus have an impact on public school capacity in the area. Since part of the development is restricted to the population over 55 years of age, the developer has requested that it not be required to dedicate a possible school site within the development. In order to mitigate the impacts the development may have on school capacity, in lieu of dedicating a school site the developer agrees to pay to the City, for each age restricted lot or unit, a voluntary educational impact fee equal to the adopted Lake County School Board School Impact fee in place at the time of issuance of a building permit for each age restricted unit.

G. Open Space and Buffer Areas

1. Wetlands shall have an average upland buffer of 25 feet, minimum of 15 feet, or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the preliminary plan application
2. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
3. Wetlands shall have a minimum upland buffer of 25 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
4. Land uses allowed within the upland buffers are limited to hiking trails, horse trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
5. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.

6. A wildlife/archaeological management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The management plan shall be submitted to the City as part of the preliminary plan application. The Permittee shall designate a responsible legal entity that shall implement and maintain the management plan.
7. To the extent practical, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, St. Johns River Water Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to St. Johns River Water Management District or another legal entity such as a homeowners association for ownership and maintenance.
8. Landscape Buffer areas, identified during the development review process by the Master Plan along CR 48 and in PODs where more intense uses such as commercial, stables etc. abuts residential areas where no roads intersect these areas and provide a physical separation shall be as follows:

For each one hundred (100) linear feet, or fraction thereof, of boundary, the following plants shall be provided in accordance with the planting standards and requirements of the City of Leesburg Code of Ordinances, as amended.

- a. Two (2) canopy trees
- b. Two (2) ornamental trees
- c. Thirty (30) shrubs
- d. The remainder of the buffer area shall be landscaped with grass, groundcover, and/or other landscape treatment.
- e. Existing vegetation in the required buffer shall be protected during construction.

H. Development Phasing

1. The proposed project may be constructed in phases in accordance with the Planned Unit Development Master Plan (attached as part of these conditions). Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.
2. Implementation of Phase I of the development project shall proceed in good faith within 48 months of approval of this Planned Unit Development. In the event, the conditions of the PUD have not been implemented during the required time period, the PUD shall be scheduled with due notice for reconsideration by the Planning Commission at their next available regular meeting. The Planning Commission will consider whether to extend the PUD approval or rezone the property to RE-1 (Estate Density Residential) or another appropriate zoning classification less intense than the development permitted by these PUD Conditions.

I. Signage

1. All signage will meet City standards as set forth in the Leesburg Land Development Code except for the following conditions:
 - a. A maximum of two (2) grounds or wall residential entrance or gate signs may

be located at the main entrance to a single family, multi-family subdivision. In the alternative, one (1) double faced identification sign may be permitted when placed in the median of a private entrance road. The maximum allowable sign surface area per wall or sign shall not exceed one hundred twelve (112) square feet.

- b. Secondary entranceways shall be restricted to one (1) ground sign, not to exceed thirty (30) square feet in area and a vertical dimension of five (5) feet.
- c. Height-signs shall be a maximum of eight (8) feet and be measured from the finished grade level or crown of road to the top of the sign face, provided if the sign is integrated into a fence, wall or column.

3. STORMWATER MANAGEMENT / UTILITIES

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowners association is an acceptable maintenance entity.
- D. The 100-year flood plain shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and /or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District.
- G. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- H. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of utility infrastructure and other improvements related to the use and development of the property including such off site improvements required by the City, all of which shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction. If offsite utility infrastructure systems are upsized at the request of the City of Leesburg to accommodate other existing or future developments in the area, the Developer will be entitled to an applicable reimbursement method, such as cost-sharing, impact fee credits, pioneering agreements, etc., as appropriate provided by a separate utility agreement.
- I. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- J. A two (2) acre well site with the potential for two potable wells shall be dedicated to the City of Leesburg for public purposes prior to plat approval of any portion of the development or prior to any building permit issuance, whichever occurs first. The final size and location of the well site shall be determined by the City at the time of the future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process.

4. **TRANSPORTATION IMPROVEMENTS**

- A. All transportation improvements shall be based on a current traffic analysis and shall be contingent upon Preliminary Subdivision Plan approval by City staff during the development review and permitting process.
- B. Vehicular access to the project site shall generally be provided as shown on the Conceptual Phasing Plan through a minimum of two four lane divided boulevard type roads. Actual locations and design of the boulevards and roads shall be approved during future amendment to these Planned Unit Development (PUD) conditions during the conceptual plans approval process. Other potential accesses to adjacent properties will be reviewed during the development review process.
- C. The Permittee shall provide all necessary improvements/signalization within and adjacent to the development as required by Lake County and City of Leesburg.
- D. All roads within the development shall be designed and constructed by the developer to meet the City of Leesburg requirements including but not limited to Miami curbs.
- E. Sidewalks shall be provided on one side of the local internal roads except for boulevards which shall require provide sidewalks on both sides and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Leesburg Codes.
- F. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg prior to preliminary plan approval.
- G. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- H. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City the road system is in suitable condition and meets City of Leesburg requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time.
- I. A traffic/transportation study shall be submitted prior to site plan approval for review and determination of any necessary access improvements, including any off site improvements required by FDOT, Lake County, the MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- J. At such time that traffic signals are warranted at the proposed project entrance(s), the Permittee shall pay their pro-rata share of the cost of the signal(s) as determined by City staff.

5. **DESIGN REQUIREMENTS**

Design requirements shall meet the standards as per Sec. 25-395. Contemporary design district overlay (CDO) general district standards. Designs to meet general standards provided below and will be reviewed during the development review and permitting process.

- A. Residential Development
 - 1. Contemporary design district overlay (CDO) standards require that all detached

residential development on lots that are less than fifty (50) feet in width shall be served by rear alleys. Each alley shall connect with streets at both ends.

2. Building Design

a. Detached single-family homes shall have garages located with the following provisions.

- 1) Front access garages must be set back a minimum of five (5) feet from the attached primary structure or the front building line.
- 2) Rear garages must be setback a minimum of twenty (20) feet from an alley or rear access drive.
- 3) Side entrance garages may be in line with or off set from the primary structures front setback provided the garage has front facade windows.
- 4) Homes with covered front entrees and/or porches of a minimum fifty (50) square feet may have front access garages setback in line with the porch or five (5) feet forward of the porch.

b. The distance between any principal building and accessory building shall be a minimum of ten (10) feet.

c. Alternative new urbanism design and rear alley access units shall have the following:

- 1) Ten (10) foot front setback.
- 2) Traditional/Cracker style front elevations (See attached Examples Urban-Style, Traditional Design).
- 3) Covered front porches of at least forty percent of the length of the front elevation at a minimum depth of four (4) feet.

3. Additional Design Features

a. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the building:

- 1) Dormers
- 2) Gables
- 3) Recessed entries
- 4) Covered porch entries
- 5) Cupolas
- 6) Pillars or posts
- 7) Bay window (minimum 12 inch projections)
- 8) Eaves (minimum 6-inch projections)
- 9) Repetitive windows with minimum 4-inch trim.

B. Commercial Village Center Design

1. Building frontages shall occupy no less than 75% of the street facing entrance.
2. Height. The maximum building height may be increased by 10 feet as an incentive for vertical mixed use buildings, except where adjacent to single-story residential uses.
3. Public Entrance. Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functionally be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to the entrances.
4. Building Façade. No more than 20 feet of horizontal distance of wall shall be provided without architectural relief for building walls and frontage walls facing the

street. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors. The top of any building shall contain a distinctive finish consisting of a cornice or other architectural termination as described below.

5. Storefront character. Commercial and mixed-use buildings shall express a “storefront character” with the new urbanism design elements complimenting Phase V. This guideline is met by providing all of the following architectural features along the building frontage as applicable.
 - a. Corner building entrances on corner lots.
 - b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - c. Large display windows on the ground floor. All street-facing, park-facing and plaza-facing structures shall have windows covering a minimum of 40% and a maximum 80% of the ground floor of each storefront’s linear frontage. Blank walls shall not occupy over 50% of a street-facing frontage and shall not exceed 20 linear feet without being interrupted by a window or entry. Mirrored glass, obscured glass and glass block cannot be used in meeting this requirement. Display windows may be used to meet this requirement, but must be transparent and shall not be painted or obscured by opaque panels.
 6. Orientation. The primary building entrances shall be visible and directly accessible from a public street. Building massing such as tower elements shall be used to call-out the location of building entries.
- C. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 3. All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
- D. Other similar design variations meeting the intent of this section may be approved by the Community Development Director.

6. **MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically

authorized by the Planning Commission in accordance with the Planned Unit Development amendment process.

- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.

7. **CONCURRENCY**

As submitted, the proposed zoning change does not appear to result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities. However, no final development order (site plan and building permits) shall be granted for a proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

A. Utilities

1. Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
- b. If future development on this site is cause for off-site improvements for water and wastewater, the developer will bear the cost of design, permitting and construction of any such improvements. The developer shall receive no impact fee credits for any such required off-site improvements. The developer and the City may enter into a pioneering agreement with the developer, if appropriate.
- c. The City's Consumptive Use Permit provides for anticipated demands due to this and other potential development

B. Commitment of Capacity

There are no previous commitments of any existing or planned excess capacity.

C. Ability to Provide Services

1. The City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
2. The City updates its Ten-Year Capital Improvement Plan (CIP) as part of our annual budgetary process. Included within the CIP are water, wastewater, and reclaimed water improvements necessary to provide service to proposed development.
3. The City has completed an impact fee study, based in part on the CIP in order to assure adequate and appropriate funding for required improvements.

LEGAL DESCRIPTION

EXHIBIT B.

LEGAL DESCRIPTION DUVAL FARMS, LLC

Parcel F:

SW $\frac{1}{4}$ of NE $\frac{1}{4}$ lying N & W of State Road No. 48; W $\frac{1}{2}$ of NW $\frac{1}{4}$; SW $\frac{1}{4}$ lying N & W of State Road No. 48; All SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Less the North 220 feet of the West 110 feet of the East 563 feet; All being in Section 6, Township 24 South, Range 24 East, Lake County, Florida.

Parcel G:

All that part of the following Tracts of Land Lying West of the Right of Way of State Highway 48, To-Wit:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and East 495 feet of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East.

West 825 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 6, Township 21 South, Range 24 East.

Less and Except from the above parcels Railroad Right of Way.

Parcel H:

Those certain strips of parcels of land situate, lying and being in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, County of Lake, State of Florida, and described as follows, to Wit:

That certain segment of Grantor's 120 wide Right of Way, I.E., 60 feet wide on each side of the Center Line of Grantor's main track, as formerly located; said segment of Right of Way beginning at the North line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6 and extending Southwestwardly a mean distance of approximately 915 feet to the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6; Also:

That certain segment of Grantor's 60-foot wide Right of Way, i.e. 30 feet on each side of the Center line of Grantor's main track, as formerly located; said segment of Right of Way beginning at the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and extending Southwestwardly a mean distance of approximately 980 feet to the South line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 6;

Less and Except from all the above right of way for Austin-Merritt Road conveyed to Lake County in Official Records Book 526, Page 405, Public Records of Lake County, Florida, and Right of Way for Austin-Merritt Road as occupied.

Parcel J:

The South $\frac{3}{4}$ of the West $\frac{1}{2}$; The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; and the West 462 feet of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 20 South, Range 24 East, Lake County, Florida, Less and Except Right of Way for SE 36th Blvd.

Parcel L:

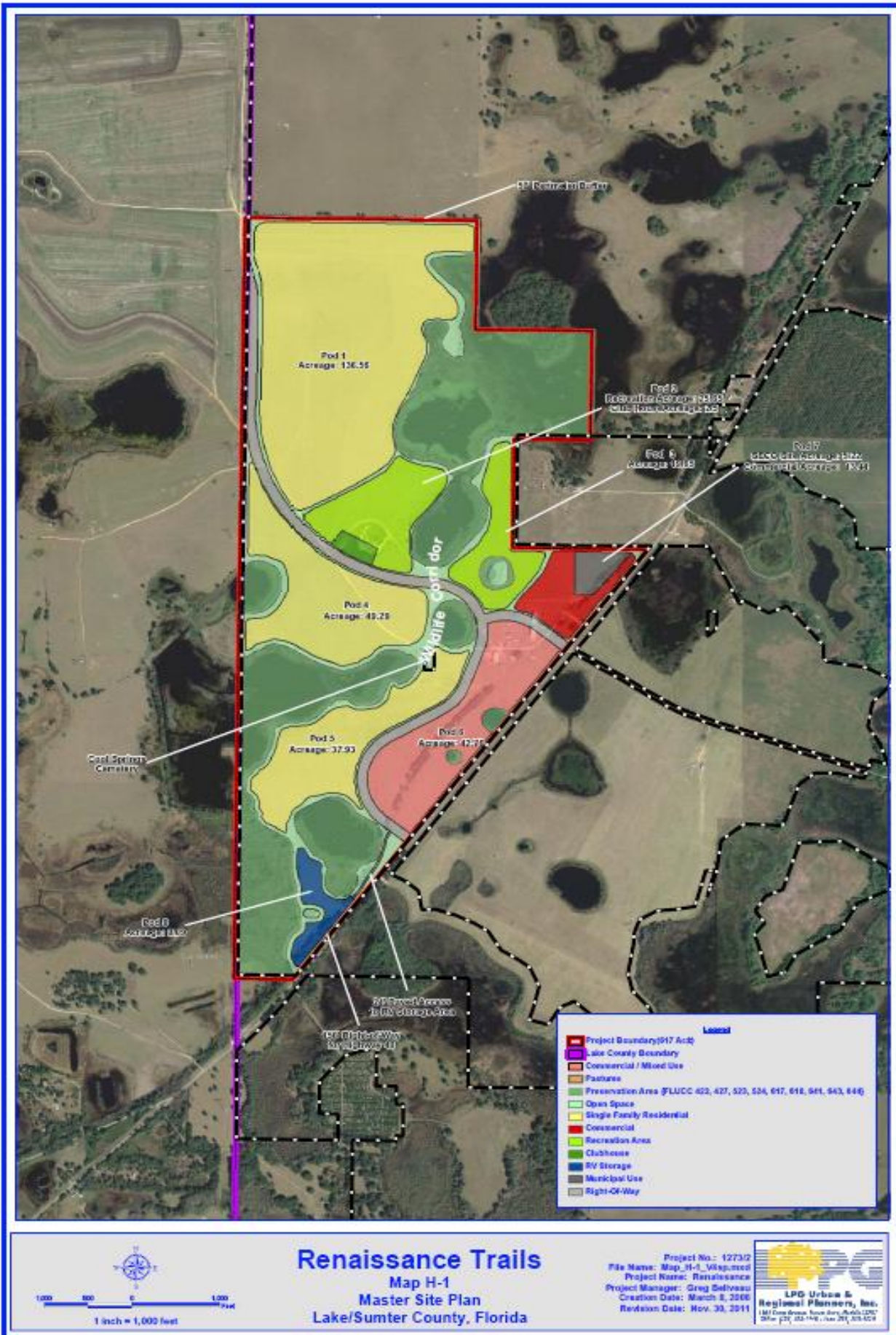
Any part of the following described property lying within Section 6, Township 21 South, Range 24 East: The abandoned 120 feet wide segment of the Seaboard Cost Line Railroad Company's former track, i.e. 60 feet wide on each side of the center line of the SCLRR'S Former track located at the beginning at the west line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, and extending Northeastwardly approximately 5,603 feet to the North line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6, All in Township 21 South, Range 24 East, Lake County, Florida.

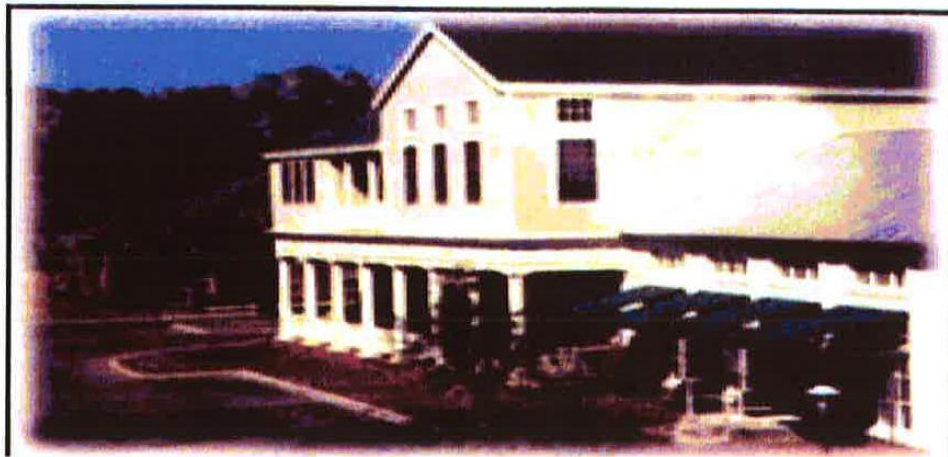
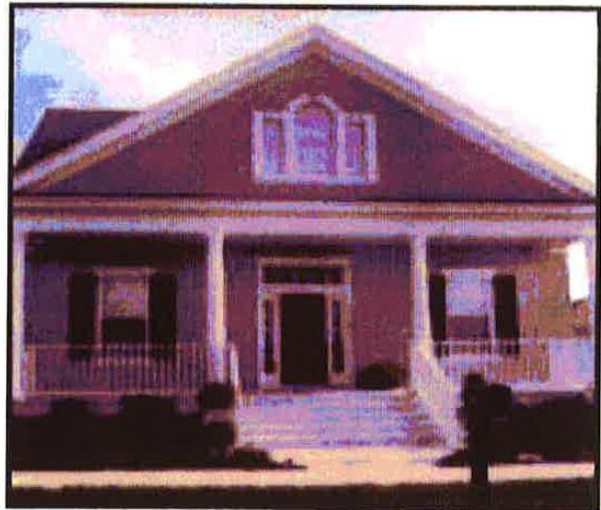
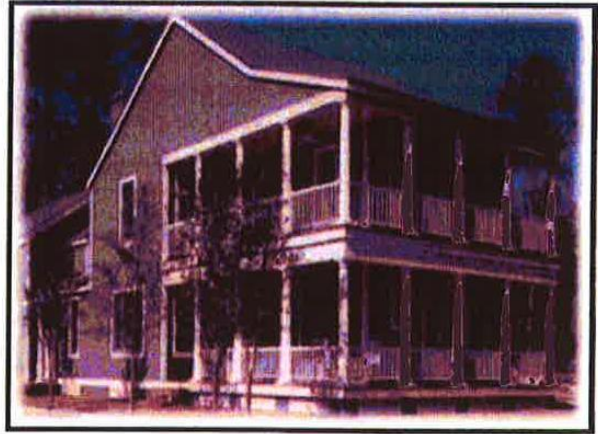
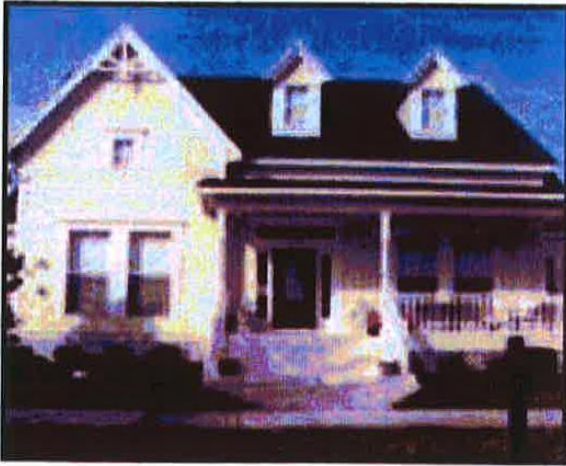
Less and Except the Following:

A portion of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, Lake County, Florida, being more particularly described as follows:

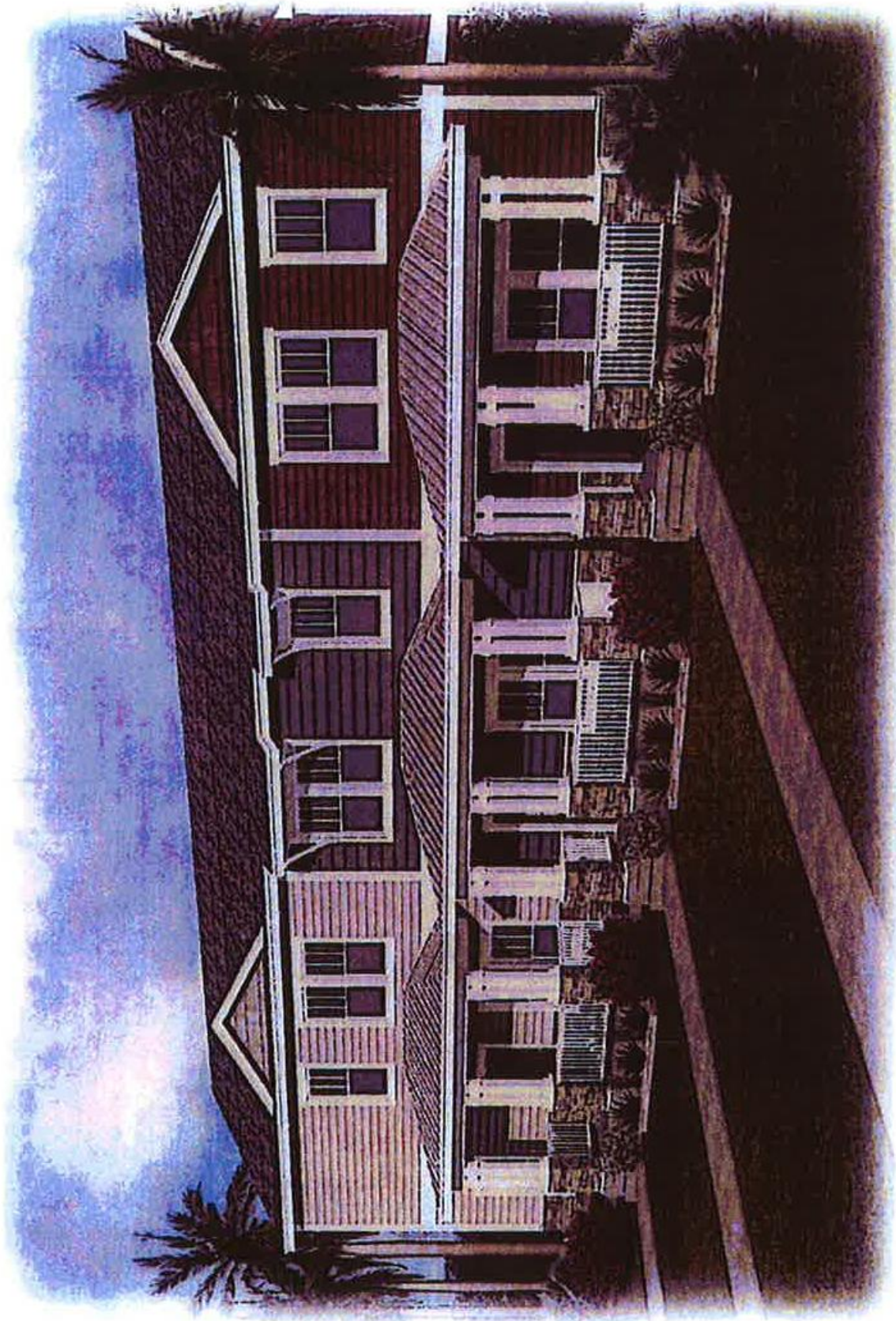
Commencing at the NE Corner of the NE $\frac{1}{4}$ of Section 6, Township 21 South, Range 24 East, Lake County, Florida; Thence North 89°39'14" West along the North boundary of said NE $\frac{3}{4}$, a distance of 871.65 feet to the Point of Beginning; Thence continue along said North boundary North 89°39'14" West 679.48 feet; Thence departing said North boundary South 00°20'46" West 518.13 feet; Thence South 89°39'14: East 217.49 feet; Thence North 42°04'03" East 694.18 feet to the Point of Beginning.

EXHIBIT C

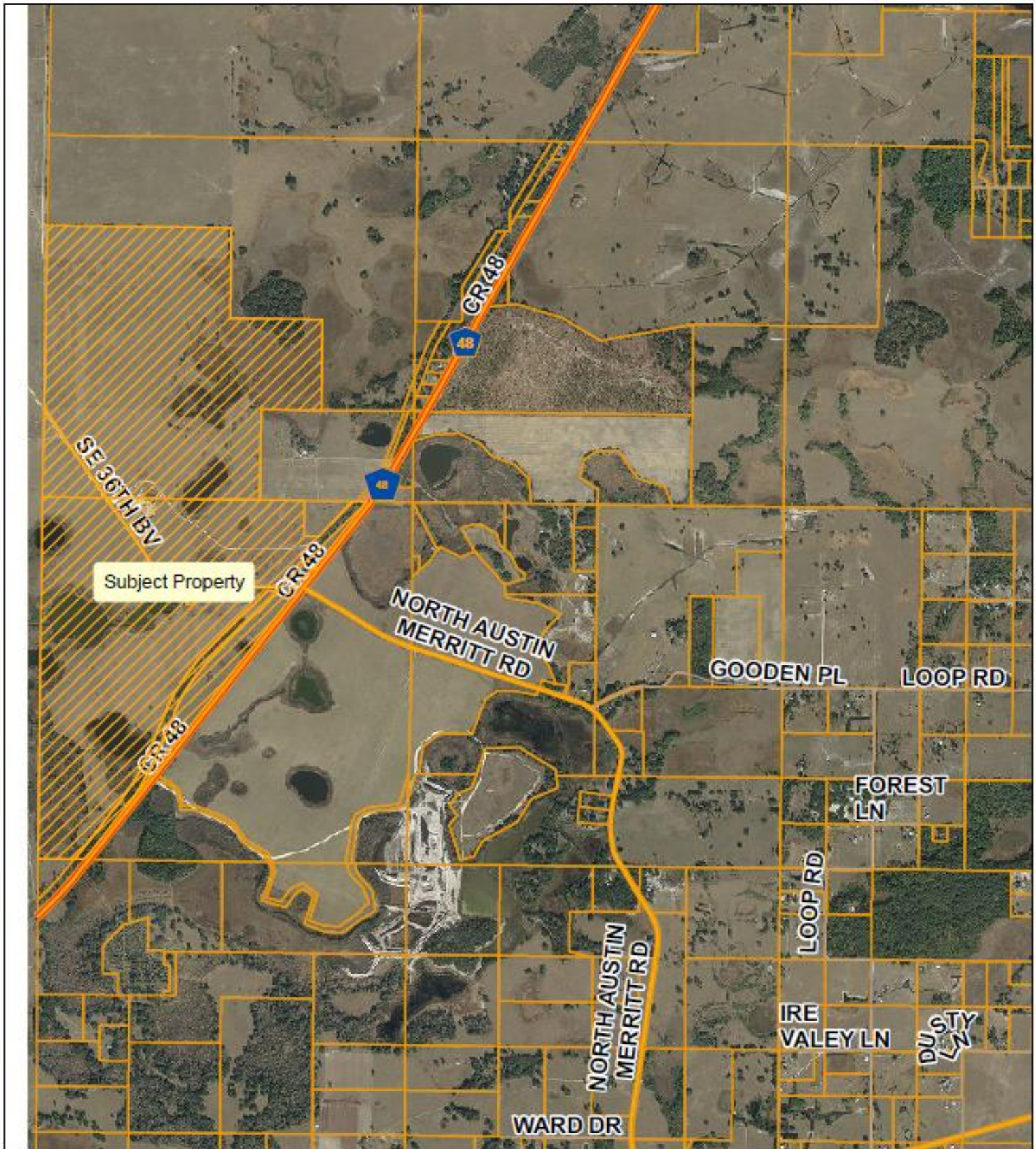




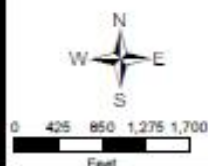




Aerial

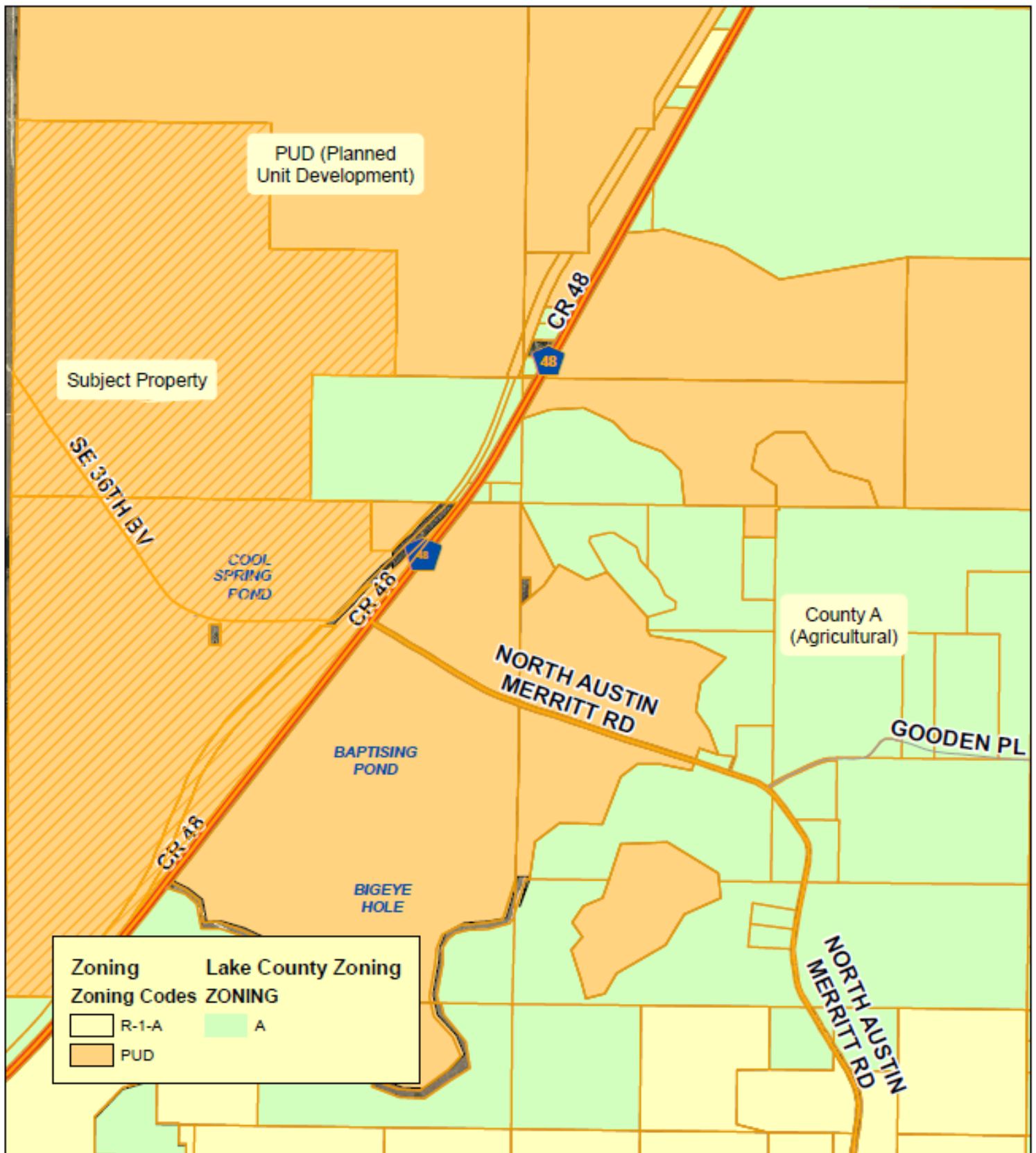


**Planning
& Zoning
Division**

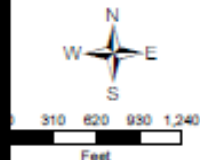


RZ 15-67
Ordinance 12-19 Renaissance Trails
PUD Phasing Extension
Alternate Keys 1775477, 2540249 and 1775248
Leesburg, Florida

Zoning

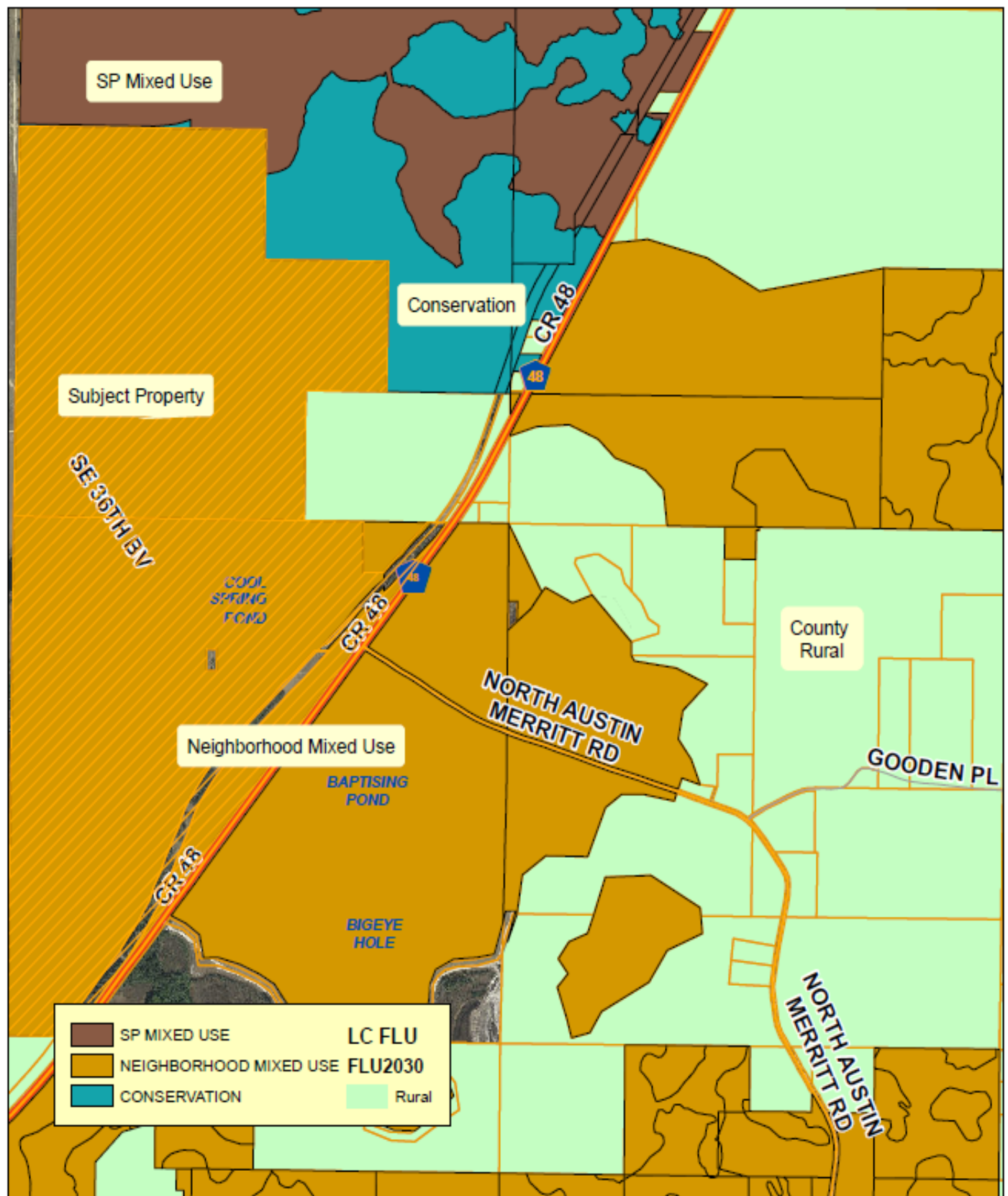


**Planning
& Zoning
Division**

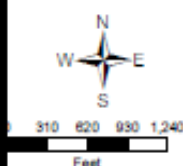


RZ 15-67
Renaissance Trails PUD
AKs 1775477, 2540249, 1775248

Future Land Use



Planning
& Zoning
Division

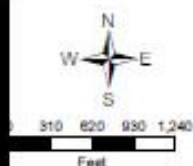


RZ 15-67
Renaissance Trails PUD
AKs 1775477, 2540249, 1775248

Surrounding Land Uses

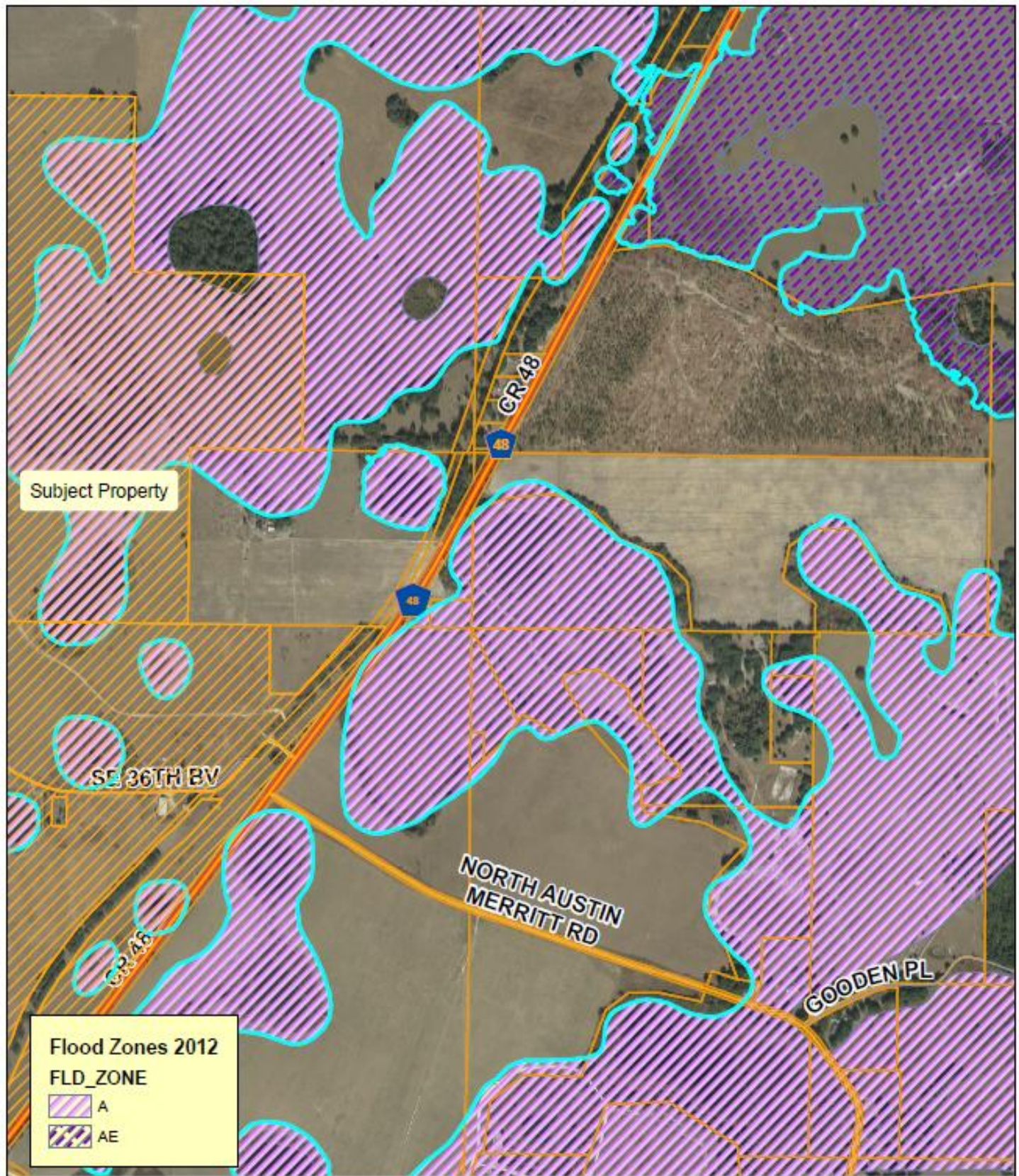


Planning
& Zoning
Division

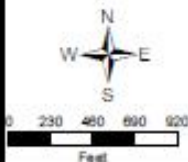


RZ 15-67
Renaissance Trails PUD
AKs 1775477, 2540249, 1775248

Flood Zones

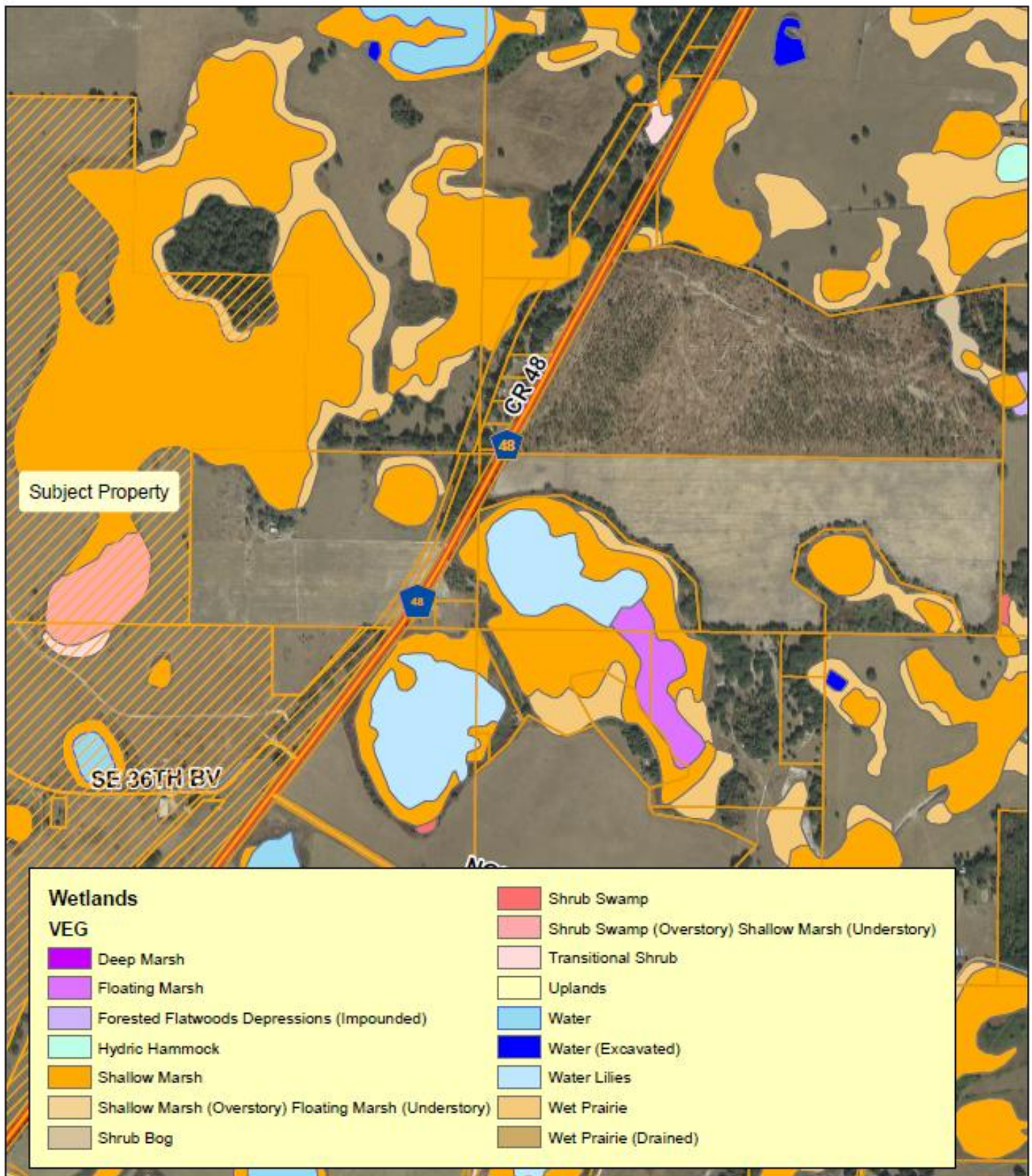


**Planning
& Zoning
Division**

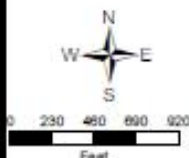


RZ-15-67
Renaissance Trails PUD
AK#s 1775477, 2540249, and 1775248
Leesburg, FL

Wetlands



**Planning
& Zoning
Division**



RZ-15-67
Renaissance Trails PUD
AK#s 1775477, 2540249, and 1775248
Leesburg, FL



Subject property along CR48



View of CR 48 looking southwest
subject property on right



View along CR48 looking northeast



Intersection of CR 48 and Austin Merritt Road



AGENDA MEMORANDUM

Item No: 5G.

Meeting Date: September 28, 2015

From: Dan Miller, Planning & Zoning Manager

Subject: Impact Fee waiver extension for existing vacant structures, redevelopment and new businesses moving into existing structures

Staff Recommendation

Staff recommends approval of the ordinance extending an established waiver on impact fees for projects that redevelop vacant properties in the City of Leesburg until September 30, 2016.

Analysis

On March 23, 2015, commission adopted Ordinance 15-9, which waived impact fees “as applied to new businesses locating within an existing structure, and projects involving the improvement of existing structures.” By adopting this ordinance, the Commission allowed a waiver of impact fees for projects that engage in the redevelopment and reuse of existing structures. The current request will extend this waiver for a one year period. The purpose of this extension is to continue to encourage businesses to choose to locate in currently vacant structures or structures that can be redeveloped, with the goal of lowering the cost of entering business and thereby assist in bringing jobs and economic activity to the city.

During the period of October 1, 2014 through July 30, 2015, the City has collected a total of \$507,618.99 in impact fees, the majority coming from new development in single family and commercial projects. Of this amount, water impact fees have totaled \$124,520.60 and wastewater impact fees have totaled \$283,379.39. Existing buildings which are targeted in this ordinance, generally have a credit for the previous use, which is subtracted from the impact fee calculation because these structures are already on the system. The current waiver has been a major factor for several new businesses opening in the downtown area, including “Sips” restaurant and “Dandy’s Sandwich Shop”. This action will continue to assist redevelopment of existing structures, promote development in blighted areas, and encourage the redevelopment of existing parcels, as well as help create new jobs and lower the cost of going into business.

Options:

1. Approve the proposed ordinance establishing an impact fee waiver until September 30, 2016 for new businesses moving into existing, vacant structures and for the redevelopment of existing structures;
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Staff does not anticipate a significant fiscal impact based on this action.

Submission Date and Time: 9/23/2015 5:42 PM

Department: <u>Community Development</u> Prepared by: <u>Dan Miller, P&Z Manager</u> Attachments: Yes <u>X</u> No _____ Advertised: _____ Not Required _____ Dates: _____ Attorney Review : Yes _____ No _____ _____ Revised 6/10/04	Reviewed by: Dept. Head _____ Finance Dept. _____ Deputy C.M. _____ MWR _____ Submitted by: _____ City Manager _____	Account No. _____ Project No. _____ WF No. _____ Budget _____ Available _____
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING A WAIVER ON COLLECTION OF CITY IMPACT FEES UNTIL SEPTEMBER 30, 2016; SETTING FORTH LEGISLATIVE FINDINGS, SUSPENDING THE COLLECTION OF WATER, WASTEWATER, AND MUNICIPAL SERVICES IMPACT FEES FROM THE EFFECTIVE DATE OF THIS ORDINANCE UNTIL SEPTEMBER 30, 2016, TO ALLOW TIME FOR THE CITY TO RE - EVALUATE ITS POLICY ON COLLECTION OF IMPACT FEES FROM NEW BUSINESSES MOVING INTO EXISTING, VACANT STRUCTURES; LIMITING THE WAIVER OF IMPACT FEES UNDER THIS ORDINANCE TO NEW BUSINESSES MOVING INTO EXISTING VACANT STRUCTURES, AND REDEVELOPMENT OF EXISTING STRUCTURES, REQUIRING PAYMENT OF IMPACT FEES SUSPENDED BY THIS ORDINANCE IF A CERTIFICATE OF OCCUPANCY OR BUSINESS TAX RECEIPT FOR THE PROJECT OR BUSINESS IS NOT ISSUED WITHIN TWELVE MONTHS OF ISSUANCE OF A BUILDING PERMIT FOR THE PROJECT, PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leesburg Code of Ordinances requires the collection of impact fees on all residential, commercial and industrial development within its boundaries, for water, wastewater, and municipal services – including police services, fire and rescue services, and recreation services, and

WHEREAS, impact fees are a vital part of the City's efforts to plan and pay for municipal services required by new development, and have been utilized successfully for those purposes, and

WHEREAS, beginning in 2008 the City of Leesburg, along with the rest of the United States of America, experienced a serious economic downturn which has resulted in numerous deleterious consequences including the closing of businesses, a precipitous decline in all categories of construction, severely high unemployment, and a crippling decline in ad valorem tax revenues, and

WHEREAS, the City Commission has recognized that impact fees can impede the location of new businesses in existing structures, and redevelopment of run down or dilapidated structures, and therefore wishes to take steps intended to attract redevelopment and new business in such structures, and to encourage economic growth through revitalization and occupancy of such structures, and

WHEREAS, the City Commission believes an extension of the current policy toward impact fees for redevelopment of existing structures, and location of new businesses in existing structures, will assist in attracting new business and encouraging the improvement of structures, and thus wishes to enact a temporary suspension of impact fees for occupancy of those structures, to

allow time to reformulate the City's overall policy regarding impact fees for redevelopment of abandoned structures,

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE
CITY OF LEESBURG, FLORIDA:**

SECTION I.

Until September 30, 2016, the City of Leesburg waives collection of any impact fees imposed under its Code of Ordinances, including but not limited to the Water System Capacity Impact Fee under §22 – 324, the Wastewater System Capacity Impact Fee under §22 – 325, and the Municipal Services Impact fees for police services, fire and rescue services, and recreation services, under §§7 – 251 and 7 – 252, as applied to new businesses locating within an existing structure, and projects involving the improvement of existing structures, within the municipal limits of the City of Leesburg. During the period of this waiver, the City will continue to evaluate its overall policy for the imposition of impact fees for redevelopment and new occupancy of existing structures, and propose to extend or revise its policy accordingly. To qualify for this waiver, the existing structure must meet the criteria specified in Section II below.

SECTION II.

To take advantage of the waiver of impact fees created by this Ordinance, the existing structure must have been vacant for a period of at least six months prior to application for a building permit, and construction must substantially commence on the development or project for which a permit was obtained, within 90 days from the date the permit is issued, and be prosecuted diligently to completion. Substantial completion must be achieved within no more than twelve months after issuance of the building permit. If the project or business is not issued a certificate of occupancy or Business Tax Receipt within twelve months after issuance of the building permit, the developer shall be required to remit the impact fees in full as a condition of issuance of the certificate of occupancy or Business Tax Receipt. For projects requiring multiple certificates of occupancy, if the entire project is not completed within twelve months of permit issuance, certificates of occupancy for those portions completed within the twelve months shall be valid but no further certificates of occupancy will be issued after expiration of the twelve months until all impact fees attributable to the remaining portions of the project are paid in full.

SECTION III.

On September 30, 2016, at midnight, this Ordinance shall expire and the impact fees payable in accordance with the City Code shall be due and collectible on all developments and projects to which they apply by law, as of October 1, 2016, unless this waiver is extended by Resolution of the City Commission, such extension to be no longer than 90 days without passage of an ordinance granting a further extension.

SECTION IV.

If any portion of this Ordinance is declared invalid or unenforceable, and to the extent that it is possible to do so without destroying the overall intent and effect of this Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom and the remainder of the ordinance shall

continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

SECTION V.

This Ordinance shall become effective upon its passage and adoption according to law. This Ordinance shall remain in effect until September 30, 2016, unless extended as provided herein.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2015.

THE CITY OF LEESBURG, FLORIDA

BY: _____
Elise A. Dennison, Mayor

Attest: _____
J. Andi Purvis, City Clerk

COMMUNITY DEVELOPMENT DEPARTMENT - BUILDING SERVICES DIVISION

July, 2015

ACTIVITY REPORT

Performance Measures				
	<u>2013/2014</u>	<u>2012/2013</u>	<u>July 2015</u>	<u>YEAR TO DATE 2014/2015</u>
Building/*Fire Inspections:	4623	4100	468	4,406
Annual Fire Inspections:	202	169	20	172
Permits Issued:				
Commercial - new const.	19	24	1	18
Residential - new const.	88	76	10	79
Residential - multifamily new	0	0	0	0
Mobile/Modular	10	4	0	10
Other Building Permits	1568	1369	151	1,360
TOTAL	1685	1473	162	1,467
Demolition:				
Commercial	23	16	1	10
Residential	12	12	0	8
Plan Reviews:	1387	1302	125	1,112
Value of Construction:				
Commercial	\$6,628,026.00	\$2,546,652.00	\$ 14,974.00	13,290,854.00
Residential	\$11,319,613.00	\$12,412,276.00	\$ 1,454,871.00	10,275,677.00
Multi family residential	\$0.00	\$0.00	\$ -	-
Commercial Renovations	\$10,048,886.48	\$5,112,550.45	\$ 155,000.00	3,854,639.00
Residential Renovations	\$802,332.50	\$528,537.54	\$ 850.00	534,562.01
Total Construction Value:	\$28,798,857.98	\$20,600,015.99	\$ 1,625,695.00	27,955,722.01
Total Building Fees Collected	\$568,390.75	\$349,206.57	\$53,973.11	\$588,345.09
State Recovery Fund (Radon)	\$6,162.44	\$5,651.36	\$569.75	6,449.54
State Surcharge -DCA	\$6,160.17	\$5,643.02	\$569.75	6,457.27
Road Impact Fees	\$19,383.14	\$0.00	\$5,540.00	43,700.12
School Impact Fees	\$38,595.60	\$0.00	\$23,157.00	42,859.30
Library Impact Fees	\$15,849.25	\$12,224.00	\$2,062.00	14,972.00
Police Impact Fees	\$18,629.46	\$0.00	\$1,953.00	23,925.84
Fire Impact Fees	\$19,943.50	\$0.00	\$2,420.00	24,343.64
Parks & Rec. Impact Fee	\$31,722.00	\$0.00	\$4,080.00	31,824.00
Water Impact Fees	\$105,765.41	\$0.00	\$11,750.00	\$124,520.60
Wastewater Impact Fees	\$249,539.44	\$0.00	\$27,780.00	283,379.39
Total Impact Fees	\$499,427.80	\$12,224.00	\$78,742.00	\$507,618.99
Total Collections	\$1,579,568.96	\$382,629.85	\$132,715.11	\$986,649.47

//...Dianne Pacewicz

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA FINALLY ADOPTING 4.2678 MILLS AS THE FISCAL YEAR 2015-16 MILLAGE RATE FOR THE CITY OF LEESBURG, FLORIDA, REPRESENTING THE CURRENT YEAR PROPOSED AGGREGATE MILLAGE RATE OF 4.2678 MILLS WHICH IS THE CURRENT YEAR ROLLED BACK RATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, discussions were held during the regular commission meeting of July 27, 2015 regarding the adoption of the Current Year Rolled Back Millage Rate of 4.2678 mills which is a 1.16% decrease from the previous fiscal year.

WHEREAS, the Commission approved the Current Year Rolled Back Millage Rate of 4.2678 mills and authorized the City Manager to execute and submit the Certificate of Taxable Value for Fiscal Year 2015-16 to the Lake County Property Appraiser at its regular meeting Monday, July 27, 2015, and

WHEREAS, a tentative budget for Fiscal Year 2015-16 was presented to the City Commission of the City of Leesburg, Florida during workshops held July 23rd, 28th, and 30th, 2015, and

WHEREAS, following a review of the tentative budget as submitted, the City of Leesburg, Florida, determined that a millage rate of 4.2678 mills is necessary to produce the budgetary revenue to fund budgetary operating expenditures during Fiscal Year 2015-16, and

WHEREAS, a Fiscal Year 2015-16 millage rate of 4.2678 mills represents the Current Year Proposed Aggregate Millage Rate

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Leesburg, Florida, that the tentative millage rate for the City of Leesburg, Florida, is hereby adopted at the rate of 4.2678 mills (\$4.2678 per every \$1,000 of taxable valuation) for the 2015 tax roll, which represents the Current Year Rolled Back Rate and is a 1.16% decrease from the prior year millage rate

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of September, 2015.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
ADOPTING THE FISCAL YEAR 2015-16 BUDGET FOR THE CITY OF LEESBURG, FLORIDA;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Commission of the City of Leesburg, Florida, has held several budget work sessions for the purpose of reviewing, and, where appropriate, revising the Fiscal Year 2015-16 Budget, and

WHEREAS, the provisions of Section 200.065 (2)(c), Florida Statutes, commonly known as the Truth in Millage or TRIM Bill, require that the City Commission hold a public hearing and adopt a tentative budget and millage rate for the Fiscal Year 2015-16; and,

WHEREAS, the City Commission has tentatively adopted a budget which they feel is in the best interests of the citizens of the City of Leesburg, and desires by means of this resolution to finally adopt said budget for Fiscal Year 2015-16;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

Pursuant to Section 200.065, Florida Statutes, and all other applicable laws, the following amounts for use by the various funds during Fiscal Year 2015-16 as reflected below, including all modifications or amendments made during this meeting, are hereby adopted as the budget for Fiscal Year 2015-16 for the City of Leesburg, Florida:

GENERAL FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Current Ad Valorem Taxes	
(Based on an assessed value of \$1,118,529,923*4.2678 Mills*95% less CRA's)	4,444,744
Other Taxes	4,406,632
Licenses and Permits	1,169,000
Intergovernmental Revenue	2,241,561
Charges for Services	803,151
Fines and Forfeits	115,000
Miscellaneous Revenues	554,640
Total Estimated Revenues	13,734,728
Other Financing Sources:	
Transfers from other Funds	9,379,193
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	23,113,921

PROPOSED APPROPRIATIONS

General Government	3,943,175
Public Safety	12,645,975
Physical Environment	104,956
Transportation	1,385,194
Economic Environment	257,929
Human Services	5,000
Culture/Recreation	3,095,196
Other Uses	290,233
Non Expenditures:	
Transfers to other Funds	713,956
Reserve for Future Use	672,307
TOTAL PROPOSED APPROPRIATIONS	23,113,921

HOUSING ASSISTANCE FUND

Miscellaneous Revenues	130,800
Other Financing Sources:	
Fund Balance Appropriated	49,285
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	180,085

PROPOSED APPROPRIATIONS

Economic Environment	130,620
Non Expenditures:	
Transfers to other Funds	49,465
TOTAL PROPOSED APPROPRIATIONS	180,085

STORMWATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	1,463,616
Total Estimated Revenues	1,463,616
Other Financing Sources:	
Fund Balance Appropriated	642,954
Fund Balance Appropriated- Renewal & Replacement	75,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	2,181,570

PROPOSED APPROPRIATIONS

Physical Environment	2,181,570
TOTAL PROPOSED APPROPRIATIONS	2,181,570

GREATER LEESBURG COMMUNITY REDEVELOPMENT AGENCY**ESTIMATED REVENUES AND OTHER RECEIPTS**

Current Ad Valorem Taxes	125,211
(Based on an assessed value of \$30,882,784*4.2678 Mills*95%)	
Intergovernmental Revenue	180,384
Miscellaneous Revenues	3,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	308,595

PROPOSED APPROPRIATIONS

Economic Environment	202,993
Non Expenditures:	
Debt Service	80,344
Reserve for Future Use	25,258
TOTAL PROPOSED APPROPRIATIONS	308,595

CARVER HEIGHTS COMMUNITY REDEVELOPMENT AGENCY**ESTIMATED REVENUES AND OTHER RECEIPTS**

Current Ad Valorem Taxes	68,223
(Based on an assessed value of \$16827034*4.2678 Mills*95%)	
Intergovernmental Revenue	96,281
Total Estimated Revenues	164,504
Other Financing Sources:	
Fund Balance Appropriated	100,000
Transfers from other Funds	49,465
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	313,969

PROPOSED APPROPRIATIONS

Economic Environment	7,070
Non Expenditures:	
Debt Service	306,899
TOTAL PROPOSED APPROPRIATIONS	313,969

US HWY 441/27 COMMUNITY REDEVELOPMENT AGENCY**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated- Bond Proceeds	668,419
Fund Balance Appropriated	238,500
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	906,919

PROPOSED APPROPRIATIONS

Economic Environment	2,500
Non Expenditures:	
Debt Service	904,419
TOTAL PROPOSED APPROPRIATIONS	906,919

DEBT SERVICE FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:

Transfers from other Funds 2,536,491

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 2,536,491**PROPOSED APPROPRIATIONS**

Non Expenditures:

Debt Service 2,520,253

Non Expenditures:

Reserve for Future Use 16,238

TOTAL PROPOSED APPROPRIATIONS 2,536,491**CAPITAL PROJECTS FUND****ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:

Transfers from other Funds 2,295,000

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 2,295,000**PROPOSED APPROPRIATIONS**

General Government 1,670,000

Transportation 600,000

Culture/Recreation 25,000

Non Expenditures:

TOTAL PROPOSED APPROPRIATIONS 2,295,000**ELECTRIC FUND****ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services 62,038,503

Miscellaneous Revenues 340,000

Other Sources 510,000

Total Estimated Revenues: 62,888,503

Other Financing Sources:

Fund Balance Appropriated- Renewal & Replacement 1,825,500

Fund Balance Appropriated- Duke Settlement 1,300,000

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 66,014,003**PROPOSED APPROPRIATIONS**

Physical Environment 57,807,775

Non Expenditures:

Transfers to other Funds 5,656,922

Debt Service 2,549,306

TOTAL PROPOSED APPROPRIATIONS 66,014,003**GAS FUND****ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services 7,132,715

Miscellaneous Revenues 35,000

Other Sources 265,248

Total Estimated Revenues: 7,432,963

Other Financing Sources:

Fund Balance Appropriated- Magnolia Townhomes Reserve 978,450

TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS 8,411,413**PROPOSED APPROPRIATIONS**

Physical Environment 5,430,261

Non Expenditures:

Transfers to other Funds 2,213,396

Debt Service 389,150

Reserves- Contributions to Retained Earnings 378,606

TOTAL PROPOSED APPROPRIATIONS 8,411,413

WATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	7,066,000
Miscellaneous Revenues	29,996
Other Sources	50,000
Total Estimated Revenues:	7,145,996
Other Financing Sources:	
Fund Balance Appropriated	719,585
Fund Balance Appropriated- Renewal & Replacement	650,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	8,515,581

PROPOSED APPROPRIATIONS

Physical Environment	5,920,368
Non Expenditures:	
Transfers to other Funds	870,932
Debt Service	1,724,281
TOTAL PROPOSED APPROPRIATIONS	8,515,581

WASTEWATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	10,048,594
Total Estimated Revenues	10,048,594
Other Financing Sources:	
Fund Balance Appropriated- Renewal & Replacement	1,525,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	11,573,594

PROPOSED APPROPRIATIONS

Physical Environment	8,488,477
Non Expenditures:	
Transfers to other Funds	839,315
Debt Service	1,524,027
Reserves- Contributions to Retained Earnings	721,775
TOTAL PROPOSED APPROPRIATIONS	11,573,594

COMMUNICATIONS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	1,951,278
Miscellaneous Revenues	147,011
Total Estimated Revenues	2,098,289
Other Financing Sources:	
Fund Balance Appropriated- Renewal & Replacement	135,500
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	2,233,789

PROPOSED APPROPRIATIONS

Physical Environment	2,009,342
Non Expenditures:	
Debt Service	124,447
Transfers to other Funds	100,000
TOTAL PROPOSED APPROPRIATIONS	2,233,789

SOLID WASTE FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	3,720,860
Miscellaneous Revenues	6,147
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	3,727,007

PROPOSED APPROPRIATIONS

Physical Environment	2,828,051
Non Expenditures:	
Reserves- Contributions to Retained Earnings	173,331
Transfers to other Funds	725,625
TOTAL PROPOSED APPROPRIATIONS	3,727,007

AIRPORT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Licenses and Permits	7,300
Intergovernmental Revenue	392,000
Charges for Services	160,000
Miscellaneous Revenues	886,784
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,446,084

PROPOSED APPROPRIATIONS

Transportation	1,102,736
Non Expenditures:	
Reserves- Contributions to Retained Earnings	343,348
TOTAL PROPOSED APPROPRIATIONS	1,446,084

POLICE PENSION FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Taxes	155,997
Miscellaneous Revenues	1,089,116
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,245,113

PROPOSED APPROPRIATIONS

General Government	890,000
Non Expenditures:	
Reserves- Contributions to Fund Balance	355,113
TOTAL PROPOSED APPROPRIATIONS	1,245,113

FIRE PENSION FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Taxes	110,449
Miscellaneous Revenues	956,135
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,066,584

PROPOSED APPROPRIATIONS

General Government	880,000
Non Expenditures:	
Reserves- Contributions to Fund Balance	186,584
TOTAL PROPOSED APPROPRIATIONS	1,066,584

GENERAL EMPLOYEE'S PENSION FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Miscellaneous Revenues	2,591,446
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	2,591,446

PROPOSED APPROPRIATIONS

General Government	2,575,000
Non Expenditures:	
Reserves- Contributions to Fund Balance	16,446
TOTAL PROPOSED APPROPRIATIONS	2,591,446

HEALTH INSURANCE FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	5,234,170
Miscellaneous Revenues	89,000
Other Financing Sources:	
Fund Balance Appropriated	174,674
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	5,497,844

PROPOSED APPROPRIATIONS

General Government	5,497,844
TOTAL PROPOSED APPROPRIATIONS	5,497,844

WORKERS' COMPENSATION FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	505,304
Other Financing Sources:	
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	505,304

PROPOSED APPROPRIATIONS

General Government	505,304
TOTAL PROPOSED APPROPRIATIONS	505,304

RISK MANAGEMENT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	649,038
Other Financing Sources:	
Fund Balance Appropriated	60
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	649,098

PROPOSED APPROPRIATIONS

General Government	649,098
TOTAL PROPOSED APPROPRIATIONS	649,098

FLEET SERVICES FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	2,025,734
Other Financing Sources:	
Fund Balance Appropriated	1,077,865
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	3,103,599

PROPOSED APPROPRIATIONS

General Government	3,103,599
TOTAL PROPOSED APPROPRIATIONS	3,103,599

DISCRETIONARY SALES TAX FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Taxes	1,918,112
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	1,918,112

PROPOSED APPROPRIATIONS

Non Expenditures:	
Transfers to other Funds	1,918,112
TOTAL PROPOSED APPROPRIATIONS	1,918,112

GAS TAX FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Taxes	797,031
Intergovernmental Revenue	175,395
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	972,426

PROPOSED APPROPRIATIONS

Non Expenditures:	
Transfers to other Funds	972,426
TOTAL PROPOSED APPROPRIATIONS	972,426

BUILDING PERMITS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Licenses and Permits	615,000
Other Sources	7,900
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	622,900

PROPOSED APPROPRIATIONS

Public Safety	463,605
Non Expenditures:	
Reserves- Contributions to Fund Balance	159,295
TOTAL PROPOSED APPROPRIATIONS	622,900

POLICE EDUCATION RECEIPTS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:

Fund Balance Appropriated	12,000
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TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	12,000
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PROPOSED APPROPRIATIONS

Public Safety	12,000
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TOTAL PROPOSED APPROPRIATIONS	12,000
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RECREATION IMPACT FEES FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:

Fund Balance Appropriated	200,000
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TOTAL ESTIMATED REVENUE AND OTHER RECEIPTS	200,000
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PROPOSED APPROPRIATIONS

Non Expenditures:

Transfers to other Funds	200,000
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TOTAL PROPOSED APPROPRIATIONS	200,000
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ALL FUNDS**ESTIMATED REVENUES AND OTHER RECEIPTS**

Ad Valorem Taxes	4,638,178
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Other Taxes	7,388,221
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Licenses and Permits	1,791,300
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Intergovernmental Revenue	3,085,621
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Charges for Services	102,798,963
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Fines and Forfeits	115,000
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Miscellaneous Revenues	6,859,075
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Other Sources	833,148
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Total Estimated Revenues	127,509,506
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Other Financing Sources:

Fund Balance Appropriated- Renewal & Replacement	4,211,000
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Fund Balance Appropriated- Bond Proceeds	668,419
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Fund Balance Appropriated- Magnolia Townhomes Reserve	978,450
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Fund Balance Appropriated- Duke Settlement	1,300,000
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Fund Balance Appropriated	3,214,923
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Transfers from other Funds	14,260,149
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TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	152,142,447
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PROPOSED APPROPRIATIONS

General Government	19,714,020
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Public Safety	13,121,580
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Physical Environment	84,770,800
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Transportation	3,087,930
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Economic Environment	601,112
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Human Services	5,000
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Culture/Recreation	3,120,196
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Other Uses	290,233
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Non Expenditures:

Transfers to other Funds	14,260,149
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Debt Service	10,123,126
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Reserve for Future Use	713,803
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Reserves- Contributions to Fund Balance	717,438
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Reserves- Contributions to Retained Earnings	1,617,060
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TOTAL PROPOSED APPROPRIATIONS	152,142,447
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SECTION II.

This resolution shall become effective October 1, 2015.

PASSED AND ADOPTED at a regular meeting of the City Commission of the City of Leesburg, Florida held the 28th day of September 2015.

ATTEST:

Mayor

City Clerk